

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BU **PERMIT** ICTION

Permit Number: 091056

PERMIT ISSUED

Please Read Application And Notes, If Any, Attached

This is to certify that WHITEWATER LLC /Homewood Builders Milley
has permission to Change of use from Medical Office Building to Funeral Home
AT 666 BRIGHTON AVE CB 224A A001001 **NOV - 5 2009**

provided that the person or persons, firm or corporation accounting this permit shall comply with all of the provisions of the Statutes of Maine 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 written permission procured before this building or part thereof is lath or other work is done-in. 24 HOURS 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. CAPT. R. Jackson
Health Dept. _____
Appeal Board _____
Other _____
Department Name

Amie Bank 11/5/09
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

7,565



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.

Location/Address of Construction: <u>660 Brighton Ave Apt 666 Brighton Ave.</u>		
Total Square Footage of Proposed Structure/Area <u>81664 square feet</u>	Square Footage of Lot <u>1.804 Acres</u>	Number of Stories <u>2</u>
Tax Assessor's Chart, Block & Lot Chart# <u>224A</u> Block# <u>A</u> Lot# <u>1</u>	Applicant * <u>must</u> be owner, Lessee or Buyer* Name <u>ATH, LLC</u> Address <u>16 Equestrian Way</u> City, State & Zip <u>Scarborough, ME 04074</u>	Telephone: <u>Mark Hutchins</u> <u>(207) 329-3649</u>
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name <u>Whitewater, LLC</u> Address <u>1601 Congress St.</u> City, State & Zip <u>Portland, ME 04102</u>	Cost Of Work: \$ <u>295,000</u> <u>705,000</u> C of O Fee: \$ _____ Total Fee: \$ _____
Current legal use (i.e. single family) <u>Medical Offices</u> Number of Residential Units <u>0</u> If vacant, what was the previous use? _____ Proposed Specific use: <u>Funeral Home</u> Is property part of a subdivision? <u>NO</u> If yes, please name _____ Project description: <u>Renovate existing building to suit new use.</u>		
Contractor's name: <u>Homeworks Builders, LLC</u> Address: <u>1039 Riverside St, Suite 5, Portland ME</u> City, State & Zip <u>Portland ME 04103</u> Telephone: <u>207 750 3003</u> Who should we contact when the permit is ready: <u>ATH, LLC - Mark Hutchins</u> Telephone: <u>207 329-3649</u> Mailing address: <u>16 Equestrian Way Scarborough ME 04074</u>		

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:	Date: <u>9/21/09</u>
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This is not a permit; you may not commence ANY work until the permit is issued

CITY OF PORTLAND

BUILDING DEPARTMENT

PERMIT

Permit Number: 091056

Please Read Application And Notes, If Any, Attached

This is to certify that ATH REALTY LLC/Homework Builders LLC has permission to Change of use from Medical Office Building to Family Home AT 660 BRIGHTON AVE City 224A A001001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine 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 written permission procured before this building or part thereof is lath or other work is set-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. Health Dept. Appeal Board Other Department Name

Handwritten signature and date 11/5/05 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 No: 09-1056	Issue Date: 11/05/2009	CBL: 224A A001001
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Location of Construction: 660 BRIGHTON AVE	Owner Name: ATH REALTY LLC	Owner Address: 16 EQUESTRIAN WAY	Phone: 207-885-0048
Business Name:	Contractor Name: Homeworks Builders / Ron Milley	Contractor Address: 1039 Riverside St Suite 5 Portland	Phone: 2076507435
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	Zone: R-P

Past Use: Commercial - Medical Office Building	Proposed Use: Commercial - Funeral Home - Change of use from Medical Office Building to Funeral Home	Permit Fee: \$7,145.00	Cost of Work: \$705,000.00	CEO District: 3
Proposed Project Description: Change of use from Medical Office Building to Funeral Home		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: A-3/B/S-2 Type: SB IBC 2003	
		Signature: _____		Signature: _____
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)				
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied				
Signature: _____ Date: _____				

Permit Taken By: Ldobson	Date Applied For: 09/23/2009	Zoning Approval
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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..	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"/> Date: _____	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: _____
	Date: _____ 10/20/09		

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

City of Portland, Maine - Building or Use Permit

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

Permit No: 09-1056	Date Applied For: 09/23/2009	CBL: 224A A001001
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Business Name:	Contractor Name: Homeworks Builders / Ron Milley	Contractor Address: 1039 Riverside St Suite 5 Portland	Phone: (207) 650-7435
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	

Proposed Use: Commercial - Funeral Home - Change of use from Medical Office Building to Funeral Home	Proposed Project Description: Change of use from Medical Office Building to Funeral Home
--	--

Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 10/30/2009

Note: **Ok to Issue:**

- 1) Separate permits shall be required for any new signage.
- 2) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
- 3) It is understood that the HVAC systems will be relocated away from any residential and to the interior of the lot. If future complaints are received and sound readings indicate the noise generated is over the maximum allowed, the owner SHALL take steps to mitigate the noise levels.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Jeanine Bourke **Approval Date:** 11/05/2009

Note: **Ok to Issue:**

- 1) All penetrations through rated assemblies must be protected by an approved firestop system installed in accordance with ASTM 814 or UL 1479, per IBC 2003 Section 712.
- 2) Guards must be 42 inches in height with openings less than 4 inches. Graspable rails must be installed on both sides of the stair guard at 34" to 38".
- 3) Separate permits are required for any electrical, plumbing, sprinkler, fire alarm or HVAC or exhaust systems. Separate plans may need to be submitted for approval as a part of this process.
- 4) Application approval based upon information provided by applicant with plan updates dated 10/13/09 and 10/30/09. Any deviation from approved plans requires separate review and approval prior to work.

Dept: Fire **Status:** Approved with Conditions **Reviewer:** Capt Keith Gautreau **Approval Date:** 10/13/2009

Note: **Ok to Issue:**

- 1) System acceptance and commissioning must be co-ordinated with alarm and suppression system contractors and the Fire Department. Call 874-8703 to schedule.
- 2) Installation of a Fire Alarm system requires a Knox Box to be installed per city ordinance
- 3) All construction shall comply with NFPA 101
- 4) The sprinkler system shall be installed in accordance with NFPA 13.
- 5) Application requires State Fire Marshal approval.
- 6) The fire alarm system shall comply with NFPA 72 and Fire Department Technical Standard. A compliance letter is required.
- 7) The Fire Department will require Knox locking caps on all Fire Department Connections on the exterior of the building.
- 8) Fire extinguishers required. Installation per NFPA 10
- 9) Fire department sprinkler connection type and location shall be approved in writing by fire prevention bureau.
- 10) The Fire alarm and Sprinkler systems shall be reviewed by a licensed contractor[s] for code compliance. Compliance letters are required.

Location of Construction: 660 BRIGHTON AVE	Owner Name: ATH REALTY LLC	Owner Address: 16 EQUESTRIAN WAY	Phone: 207-885-0048
Business Name:	Contractor Name: Homeworks Builders / Ron Milley	Contractor Address: 1039 Riverside St Suite 5 Portland	Phone: (207) 650-7435
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	

- 11 Occupancies with an occupant load of 100 persons or more require panic hardware on all doors serving as a means of egress.
- 12 All fire alarm records required by NFPA 72 should be stored in an approved cabinet located at the FACP and keyed alike, labeled "FIRE ALARM RECORDS".
- 13 Fire alarm system requires a Masterbox connection per city ordinance.
Masterbox design and installation shall be as approved by City Electrical Division.
- 14 Emergency lights are required to be tested at the electrical panel on the same circuit as the lighting for the area they serve.
- 15 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.
- 16 Fire Alarm system shall be maintained.
If system is to be off line over 4 hours a fire watch shall be in place.
Dispatch notification required 874-8576.
- 17 A separate Fire Alarm System Permit is required.
- 18 A separate Sprinkler System Permit is required.
- 19 Emergency lights and exit signs are required. Emergency lights and exit signs are required to be labeled in relation to the panel and circuit.

Comments:

9/25/2009-mes: Passing on for fire and building coeds review - STILL UNDER SITE PLAN REVIEW PROCESS - DO NOT ISSUE PERMIT RETURN TO MARGE FOR ZONING REVIEW.

10/13/2009-mes: Received approval letter - still waiting for final planning sign off - MES

10/13/2009-gg: Received HVAC stamped plans as of 10/13/09. The HVAC plans are included in the building permit fee. The HVAC application will be applied for later with a minimum fee. (spoke with applicant (Andrew) and Jeanie this morning (10/14/09) and this was the agreed upon decision). Gave back to Keith for review. Gg

10/30/2009-mes: Jean F. Gave an ok to issue the permit. - see e-mail

11/4/2009-jmb: Spoke with Mark H. And Steve M. About fire/smoke dampers through rated partitions or F/C. He will call back in the AM

11/5/2009-jmb: Steve Milley and HVAC contractor came into the office to review plans for smoke dampers. The duct penetrating rated walls are exempt from dampers per Sec. 716.5.2, exception 3. The F/C assembly will not have duct penetrations into the garage below. Ok to issue

- sprinkled building - + Above ceiling

- Corridor Upper Level - 3 dbt door need fire 20 minute

Spec sheet w/ glass ceiling

Cut sheet on dividers.

Cut sheet flame spread curtains -

Self closing Bathroom Doors -

Casket show room

Gasket area from light?

1 hole in mechanical room

Self closing on doors / mechanical room.
Any penetrated area

✓ msp room - cut per one ~~no~~ sink Backflow protection.

4-27-10

Above ISSUED checked
are OK

- ① 3 dbt Door w/ coordinator
- ② Fire department connection
- ③ Fire floor 1 - sprinkler room

Hutchins Funeral Budget		
Item	Original Budget	
General Conditions		\$51,000.00
Sitework		\$58,000.00
Concrete		\$7,000.00
Masonry		\$18,000.00
Metals		\$3,000.00
Wood and Plastics		\$90,000.00
Thermal / Moisture		\$78,000.00
Doors and Windows		\$12,000.00
Finishes		\$62,000.00
Specialties		\$35,000.00
Elevator		\$53,000.00
Sprinkler		\$30,000.00
Plumbing		\$18,000.00
Heating		\$115,000.00
Electrical		\$50,000.00
Fee		\$55,000.00
Total		\$735,000.00

RECEIVED

OCT 19 2009

**Dept. of Building Inspections
City of Portland Maine**

660 Brighton Ave

STATUTORY WARRANTY DEED
(Maine Statutory Short Form)

COPY

KNOW ALL MEN BY THESE PRESENTS, That WHITEWATER, LLC, a limited liability company organized and existing under the laws of the State of Maine, with an office in Gorham, Maine

For Consideration Paid, GRANTS with WARRANTY COVENANTS TO:

ATH REALTY, LLC, a Delaware limited liability company with a mailing address of 16 Equestrian Way, Scarborough, Maine 04074

A certain lot or parcel of land situated on the southwesterly side of Brighton Avenue in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning on the southwesterly side of Brighton Avenue at the southeasterly corner of land now or formerly of Doris H. Fogg, being the premises conveyed by Moses W. Lucas to Mabel Lucas by deed dated January 19, 1945, recorded in Cumberland County Registry of Deeds, Book 1767, Page 410; thence southwesterly at a right angle to Brighton Avenue and by said land of Fogg S 44° 30' W one hundred ten (110) feet, more or less, to the southwesterly corner thereof; thence northwesterly and at a right angle to the last named course and by said Fogg land N 45° 30' W a distance of one hundred thirty-six (136) feet, more or less, to the southerly boundary line of land conveyed by Moses W. Lucas to the Grantors by deed dated October 15, 1941, recorded in said Registry of Deeds, Book 1654, Page 252; thence southwesterly by said land of the Grantors and at a right angle to the last named course S 44° 30' W a distance of two hundred one and five tenths (201.5) feet, more or less, to land taken by eminent domain proceedings by the City of Portland, an abstract of which proceedings dated November 17, 1947 is recorded in said Registry of Deeds, Book 1899, Page 18; thence S 30° 03-1/2' E a distance of one hundred forty-six and three tenths (146.3) feet, more or less, to an iron and S 1° 10' E a distance of forty-three and five tenths (43.5) feet, more or less, by said land taken by the City of Portland to the northerly side line of Lot 438 as shown on a Plan of Greater Brighton dated August, 1904, recorded in said Registry of Deeds in Plan Book 11, Page 111; thence N 80° 05-1/2' E a distance of one hundred fifty-nine and nine tenths (159.9) feet, more or less, by said Lot 438 and by the northerly boundary lines of Lots 453 and 456 to the northwesterly corner of Lot 457 all as shown on said Plan; thence S 46° 02-1/2' E by the division line between Lots 456 and 457 a distance of one hundred two and five tenths (102.5) feet, more or less, to Brookline Drive as shown on said Plan; thence N 43° 57-1/2' E by Brookline Drive and the northwesterly end of Eaton Street also shown on said Plan a distance of fifty (50) feet, more or less, to land now or formerly of Philip E. Gorrivan, being the premises conveyed by Moses W. Lucas to Herman G. Hawkes by deed dated November 10, 1933, recorded in said Registry of Deeds, Book 1429, Page 306; thence N 46° 02-1/2' W by said Gorrivan land sixty-six (66) feet, more or less, to the northwesterly corner thereof; thence N 43° 57-1/2' E by said land of Gorrivan as described in said deed to Hawkes and at a right angle to the last named course a distance of two hundred and fifty-eight hundredths (200.58) feet, more or less, to Brighton Avenue; thence N 45° 30' W by Brighton Avenue a

distance of one hundred sixty-three and thirty-six hundredths (163.36) feet, more or less, to said land now or formerly of Fogg and the point of beginning.

Also including in this conveyance all right, title and interest and easements of the Grantors, if any, in said Brookline Drive and Eaton Street as well as any other streets also shown on said Plan of Greater Brighton dated August 1904, recorded in said Registry of Deeds in Plan Book 11, Page 111.

The above described premises are conveyed subject to the following:

Such state of facts as shown on Plan of Greater Brighton dated August 1904, and recorded at the Cumberland County Registry of Deeds in Plan Book 11, Page 111.

Rights and easements granted to Central Maine Power Company by instrument dated January 12, 1968 and recorded at said Registry of Deeds in Book 3046, Page 695.


Rights and easements granted to Central Maine Power Company by instrument recorded at said Registry of Deeds in Book 3406, Page 95.


Rights and easements granted to Central Maine Power Company by instrument dated January 4, 1988 and recorded at said Registry of Deeds in Book 8353, Page 33.

Meaning and intending to convey and hereby conveying the same premises conveyed to the Grantor herein by Warranty Deed of Doctor's Park, Inc., dated June 1, 2005 and recorded in the Cumberland County Registry of Deeds in Book 22707, Page 247.

IN WITNESS WHEREOF, the said Whitewater, LLC, has caused this instrument to be signed and sealed by Russell J. Collett, its sole Member thereunto duly authorized this 5th day of November, 2009.

WHITEWATER, LLC




By 
_____ Its Sole Member

THE STATE OF MAINE Cumberland, ss

November 5, 2009

Then personally appeared the above-named Russell J. Collett, of Whitewater, LLC and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said Company.

Before me, 

Attorney at Law/Notary Public
Alan E. Wolf

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

Permit No: 09-1056	Issue Date:	CBL: 224A A001001
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Location of Construction: 666 BRIGHTON AVE	Owner Name: WHITEWATER LLC	Owner Address: 1601 CONGRESS ST	Phone:
Business Name:	Contractor Name: Homeworks Builders / Ron Milley	Contractor Address: 1039 Riverside St Suite 5 Portland	Phone 2076507435
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	Zone: R-9
Past Use: Commercial - Medical Office Building	Proposed Use: Commercial - Funeral Home - Change of use from Medical Office Building to Funeral Home	Permit Fee: \$7,145.00	Cost of Work: \$705,000.00
Proposed Project Description: Change of use from Medical Office Building to Funeral Home		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied * See Conditions	CEO District: 3
		INSPECTION: Use Group: A-3/B/S-7 Type: 5B TBC-2003	Signature: <i>[Signature]</i>
		Signature: <i>[Signature]</i>	Signature: <i>[Signature]</i>
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)			
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied			
		Signature:	Date:

Permit Taken By: Ldobson	Date Applied For: 09/23/2009	Zoning Approval
-----------------------------	---------------------------------	------------------------

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..

PERMIT ISSUED

NOV - 5 2009

City of Portland

Special Zone or Reviews	Zoning Appeal	Historic Preservation
<input type="checkbox"/> Shoreland	<input type="checkbox"/> Variance	<input checked="" type="checkbox"/> Not in District or Landmark
<input type="checkbox"/> Wetland	<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
May <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/>	<input type="checkbox"/> Denied	<input type="checkbox"/> Denied
Date: <i>[Signature]</i>	Date:	Date: <i>[Signature]</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	PHONE

BUILDING PERMIT INSPECTION PROCEDURES

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

to schedule your inspections as agreed upon

Permits expire in 6 months, if the project is not started or ceases for 6 months.

The Owner or their designee is required to notify the inspections office for the following inspections and provide adequate notice. Notice must be called in 48-72 hours in advance in order to schedule an inspection:

By initializing at each inspection time, you are agreeing that you understand the inspection procedure and additional fees from a "Stop Work Order" and "Stop Work Order Release" will be incurred if the procedure is not followed as stated below.


A Pre-construction Meeting will take place upon receipt of your building permit.

- Footing/Building Location Inspection: Prior to pouring concrete or setting precast piers
 - Re-Bar Schedule Inspection: Prior to pouring concrete
 - Framing/Rough Plumbing/Electrical: Prior to Any Insulating or drywalling
 - Final/Certificate of Occupancy: Prior to any occupancy of the structure or use.
- NOTE: There is a \$75.00 fee per inspection at this point.

Certificate of Occupancy is not required for certain projects. Your inspector can advise you if your project requires a Certificate of Occupancy. All projects DO require a final inspection.

If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED.



Signature of Applicant/Designee

11/5/09

Date



Signature of Inspections Official

11/5/09

Date

City of Portland, Maine - Building or Use Permit

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

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Note: **Ok to Issue:**

- 1) All penetrations through rated assemblies must be protected by an approved firestop system installed in accordance with ASTM 814 or UL 1479, per IBC 2003 Section 712.
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- 3) Separate permits are required for any electrical, plumbing, sprinkler, fire alarm or HVAC or exhaust systems. Separate plans may need to be submitted for approval as a part of this process.
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Dept: Fire **Status:** Approved with Conditions **Reviewer:** Capt Keith Gautreau **Approval Date:** 10/13/2009

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Dispatch notification required 874-8576.
- 17 A separate Fire Alarm System Permit is required.
- 18 A separate Sprinkler System Permit is required.
- 19 Emergency lights and exit signs are required. Emergency lights and exit signs are required to be labeled in relation to the panel and circuit.

Comments:

9/25/2009-mes: Passing on for fire and building code review - STILL UNDER SITE PLAN REVIEW PROCESS - DO NOT ISSUE PERMIT RETURN TO MARGE FOR ZONING REVIEW.

10/13/2009-mes: Received approval letter - still waiting for final planning sign off - MES

10/13/2009-gg: Received HVAC stamped plans as of 10/13/09. The HVAC plans are included in the building permit fee. The HVAC application will be applied for later with a minimum fee. (spoke with applicant (Andrew) and Jeanie this morning (10/14/09) and this was the agreed upon decision). Gave back to Keith for review. Gg

10/30/2009-mes: Jean F. Gave an ok to issue the permit. - see e-mail

11/4/2009-jmb: Spoke with Mark H. And Steve M. About fire/smoke dampers through rated partitions or F/C. He will call back in the AM

11/5/2009-jmb: Steve Milley and HVAC contractor came into the office to review plans for smoke dampers. The duct penetrating rated walls are exempt from dampers per Sec. 716.5.2, exception 3. The F/C assembly will not have duct penetrations into the garage below. Ok to issue

From: Jean Fraser
To: Bourke, Jeanie; DiPierro, Philip; Errico, Thomas; Schmuckal, Marge
Date: 10/29/2009 5:15:30 PM
Subject: 660/666 Brighton Ave - Funeral Home

Please find attached a letter that confirms that the applicant has met all of the conditions that needed to be met prior to the issuance of a building permit.

Since the site plan and landscape plan that you may have from the review or BP submission, we have approved very minor revisions re adding traffic direction signs (2), some striping and removal/relocation of light poles. A wall-mounted light has been added on the building (west elevation at front). I await final sets of plans.

I understand that the applicant will be closing on the purchase of the building tomorrow and then will wish to move quickly on the Performance Guarantee and Building Permit etc. Substantial investment is involved, mainly re the refurbishment of the building.

This is logged in the HTE system and I will update re the conditions tomorrow (in case you are able to find them).

CC: Barhydt, Barbara; Clark, William; Earley, Katherine; Gautreau, Keith; Jaegerman, Alex; Margolis-Pineo, David; Tarling, Jeff; Ward, Jane

October 29, 2009

Denis L Lemieux, AIA
198 Main Street
Lewiston, ME 04240

Mark Hutchins
ATH Realty LLC
16 Equestrian Way
Scarborough, ME 04074

RE: **660/666 Brighton Avenue; Hutchins Funeral Home**
CBL: 224A A001001
Application ID: (HTE system) 09-79900008

Dear Mr Lemieux and Mr Hutchins:

On October 8, 2009 the Portland Planning Authority approved the minor site plan for the use and refurbishment of the existing medical office building (known as "Doctors Park") at 660/666 Brighton Avenue subject to conditions.

I am writing to confirm that the following conditions have been met:

- i. That the eastern-most driveway shall be one-way egress only; the applicant shall submit a plan, for review and approval by the Planning Authority prior to the issuance of a building permit, that illustrates the signage and pavement markings to be included in the proposal to convert the eastern-most driveway into a one-way egress only; and*
- ii. That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and*
- iii. That the applicant shall submit a copy of the Wastewater Capacity letter prior to the issuance of a building permit.*

If there are any questions, please contact me at (207) 874-8728.

Sincerely,

Jean Fraser
Planner

Electronic Distribution:

Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Kathi Earley, Public Services
Hard Copy: Project File

Bill Clark, Public Services
David Margolis-Pineo, Deputy City Engineer
Jane Ward, Public Services
Jeff Tarling, City Arborist
Tom Errico, Traffic engineering Reviewer



Certificate of Design

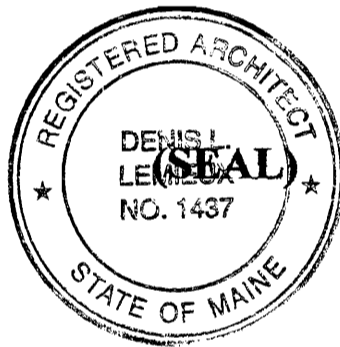
Date: SEPTEMBER 18, 2009

From: DLL ASSOCIATES / ARCHITECTS, LLC

These plans and / or specifications covering construction work on:

HITCHINS FUNERAL HOME
6600 BRIGHTON AVE.
PORTLAND ME.

Have been designed and drawn up by the undersigned, a Maine registered Architect / Engineer according to the *2003 International Building Code* and local amendments.



Signature: Denise L. Lemay, A.I.A.

Title: ARCHITECT

Firm: DLL ASSOCIATES

Address: 198 MAIN STREET
LEWISTON, ME 04240

Phone: 207-344-6611

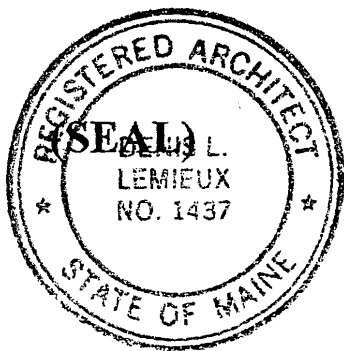
For more information or to download this form and other permit applications visit the Inspections Division on our website at www.portlandmaine.gov



Accessibility Building Code Certificate

Designer: DLL ASSOCIATES/ARCHITECTS, LLC
Address of Project: 660 BRIGHTON AVENUE
Nature of Project: ADAPTIVE RE-USE OF A CURRENT
MEDICAL OFFICE TO A FUNERAL
HOME

The technical submissions covering the proposed construction work as described above have been designed in compliance with applicable referenced standards found in the Maine Human Rights Law and Federal Americans with Disability Act. Residential Buildings with 4 units or more must conform to the Federal Fair Housing Accessibility Standards. Please provide proof of compliance if applicable.



Signature: Denis L. Lemieux A.I.A.
Title: ARCHITECT
Firm: DLL ASSOCIATES/ARCHITECTS
Address: 198 MAIN STREET
LEWISTON, ME. 04240
Phone: 207-344-6611

For more information or to download this form and other permit applications visit the Inspections Division on our website at www.portlandmaine.gov

original

CONTRACT FOR THE SALE OF REAL ESTATE, FIXTURES AND RELATED PERSONAL PROPERTY

RECEIVED OF: ATH, LLC, a Delaware limited liability company, and/or assigns, whose mailing address is 16 Equestrian Way, Scarborough, Maine 04074 (hereinafter called the "Purchaser(s)") the sum of [REDACTED] (\$ [REDACTED]) as earnest money and in part payment of the purchase price of the following described real estate, building, fixtures and related personal property situated in the municipality of Portland, County of Cumberland, State of Maine and located at 660 Brighton Avenue and being (all/part of) the property owned by Whitewater, LLC, a Maine limited liability company, with a mailing address at 1601 Congress Street, Portland, ME 04102 (hereinafter referred to as the "Seller(s)") at the above address, and described at said County's Registry of Deeds Book 22707, Page 275 and further described as: City of Portland, Maine's Tax Assessors Office as Map 224A, Block A, Lot 1 (the "Premises"). The Purchaser and the Seller shall be individually sometimes referred to herein as the "party", and collectively as the "parties."

The total purchase price being [REDACTED] Dollars (\$ [REDACTED]) is to be paid as follows:



Cash: [REDACTED] (\$ [REDACTED]) at closing by certified check or money order; and

Said earnest money is received subject to the following conditions:

1. EARNEST MONEY/ACCEPTANCE: Within One (1) business day of the mutual acceptance of this contract C.B. Richard Ellis/The Boulos Company (the "Agent") shall be given the earnest money and hold said earnest money in an interest bearing account and act as escrow agent until closing. This offer shall be valid until November 17, 2008 at 5:00 PM and, in the event of the Seller's non-acceptance, this earnest money, including any interest earned thereon, shall be returned promptly in immediately available funds to the Purchaser(s) by hand at the address set forth above. * 20th PJS
2. TITLE: That a general warranty deed, bill of sale and other necessary conveyance documents conveying good, valid, and marketable title in accordance with standards adopted by the Maine Bar Associations shall be delivered to the Purchaser(s) and this transaction shall be closed and the Purchaser(s) shall pay the balance due in accordance with the terms hereof and each party shall execute all necessary papers on or before June 1, 2009. If Seller(s) is unable to convey in accordance with the provisions of this paragraph, then the Seller(s) shall have a reasonable time period, not to exceed 30 days, from the time the Seller(s) is notified of the defect, unless otherwise agreed to by both parties, to remedy the title, after which time, if such defect is not corrected so that there is good, valid and marketable title, the Purchaser(s) may, at Purchaser's option, withdraw said earnest money and be relieved from all obligations hereunder and otherwise. The Seller(s) shall use its best efforts to cure any title defect during such period.
3. DEED: Seller shall deliver to Purchaser, at the closing, a Warranty Deed conveying good and marketable title, free and clear of all liens, claims and encumbrances, except any easements or zoning restrictions of record which do not materially impair the marketability of title.
4. POSSESSION/OCCUPANCY: Possession/occupancy of premises shall be given to Purchaser(s) immediately at closing free and clear of any and all liens, leases, claims, adverse interests and encumbrances. The Seller represents and warrants that there are currently two tenants in the building and both are Tenants at Will with no written agreement. Purchaser agrees to allow the existing Tenants to remain in the building for 60 days from date of closing. If the Seller should lease any of the individual spaces of the building the Seller shall lease the spaces under the same terms and conditions as the existing tenants set forth in the immediately preceding sentence. Seller shall indemnify and shall hold the Purchaser harmless from any and all costs, expenses, losses, claims, demands and suits pertaining to the existing tenants during the time of Purchaser's ownership of the property.
5. RISK OF LOSS: Until the closing, the risk of loss or damage to said Premises by fire or otherwise is assumed by the Seller(s) unless otherwise agreed in advance in writing. Said Premises shall than be in the same condition at present, excepting reasonable wear and tear prior to the closing of the transaction contemplated hereby.
6. PRORATIONS: The following items shall be prorated as of the date of closing:
 - a. Real Estate Taxes based on the municipality's tax year.

* PJS

- b. Utilities servicing the common areas of the property and the individual spaces. Metered utilities, such as water and sewer, shall be paid by the Seller(s) through and including the date of closing. Purchaser(s) and Seller(s) shall each pay its transfer tax as required by the State of Maine.
 - c. Rents
7. INSPECTIONS: The Purchaser(s) is encouraged to seek information from professionals regarding any specific issue of concern. Purchaser(s) acknowledges receipt of the disclosure form attached hereto. The Agent makes no warranties regarding the condition, permitted use or value of the Seller's real or personal property situated at the Premises. This contract is subject to the following inspections, with the results being solely satisfactory to the Purchaser(s):
- a. General Building Inspection: Within five (5) business days of the mutual signing of the formal Purchase and Sales Agreement, the Purchaser will be given access to the three (3) currently occupied office spaces and associated Premises to conduct a general building inspection of said office spaces.
 - b. Environmental Scan: Within ten (10) days of the City Council of Portland, Maine's approval of the Zoning Text Amendment, the Purchaser(s) will be given access to the Premises to perform a proper environmental scan. The Seller shall complete a lending institutions environmental questionnaire, if necessary, within ten (10) days of receipt.
- All inspections will be done by inspectors chosen and paid for by the Purchaser(s). If the result of any inspection or other condition specified herein is unsatisfactory to the Purchaser(s) in its sole and absolute discretion, Purchaser(s) may declare the contract null and void by notifying the Seller(s) in writing within the specified number of days, and any earnest money shall be promptly returned to the Purchaser(s) in immediately available funds by hand at the address set forth above. If the Purchaser(s) does not notify the Seller(s) that an inspection is unsatisfactory within thirty (30) days of the time set forth for initiation of the related inspection set forth in either Section 7 (a) or (b) above, as the case may be, this contingency is waived by the Purchaser(s). In the absence of inspection(s) mentioned above, the Purchaser(s) is relying completely upon Purchaser(s) own option as to the condition of the property.
8. FINANCING: This contract and the Purchaser(s) obligations hereunder are expressly subject to an approved and guaranteed commercial mortgage with approval by the U.S. Small Business Administration ("SBA") with a commercial appraisal of an amount not less than [REDACTED] which will include Purchasers projected renovations, at an interest rate not to exceed [REDACTED], and amortized over a period of not less than twenty (20) years.
- a. This contract and the Purchaser(s) obligations hereunder are expressly subject to a written statement from a lender selected by the Purchaser within thirty (30) days of the Purchaser receiving Portland Minor Site Review approval from the City of Portland, that the Purchaser(s) has financing approval.
 - b. The Purchaser(s) shall use all commercially reasonable efforts to seek and accept financing on the above-described terms. The Purchaser(s) acknowledges that a breach of this obligation to seek and accept financing on the above-described terms will be a breach of this contract.
 - c. If this condition is not met within aforesaid time periods, the Seller(s) may declare this contract null and void and the earnest money shall be returned to the Purchaser(s).
9. AGENCY DISCLOSURE: The Purchaser(s) and Seller(s) acknowledge that they have been informed that the Selling Agency is acting as a Buyers Agent in this transaction and that the Listing Agency is acting as a Sellers Agent in this transaction. The Purchaser agrees to pay the Selling Agencies brokerage fee for this transaction.
10. DEFAULT: Subject to Purchaser(s) right to rescind this contract and/or a return of the earnest money set forth above, if the Purchaser(s) fails to consummate this transaction for a material cause within the Purchaser(s) control, Seller(s) shall retain the earnest money as full and complete liquidated damages. Should Seller(s) elect to retain the earnest money, this Agreement shall terminate and neither party shall be under any further obligation hereunder. In the event of default by either party, the escrow agent will not return the earnest money to the Purchaser(s) or turn over the deposit to the Seller(s) without written releases from both parties.
11. PRIOR STATEMENTS: Any prior verbal presentations, statements and agreements are not valid unless contained herein. This contract completely expresses the obligations of the parties. This is a Maine contract and shall be construed according to the laws of Maine.
12. HEIRS/ASSIGNS: This contract shall extend to and be obligatory upon heirs, personal representatives, successors, and assigns of the respective parties.

ADDENDUM #1

**Purchase and Sales Agreement
Between
ATH, LLC and/or assigns, Purchaser, and
Whitewater, LLC, Seller,
Dated November 17, 2008**

16.) ADDITIONAL PURCHASERS' CONTINGENCIES: The Purchase and Sales Agreement is contingent upon and subject to the Purchaser receiving, reviewing and approval of the following items, to the sole and absolute satisfaction of the Purchaser, within the stated time frames set forth below. If the Purchaser finds any of these items as unsatisfactory, the Purchaser shall notify the Seller, in writing, within five (5) business days after the expiration of the stated time frames set forth below of the Purchasers intent to terminate the contract and all earnest money or other deposits will be returned to the Purchaser immediately in immediately available funds at the address set forth for the Purchaser hereunder.

16A.) Text Amendment: Within five (5) business days of the mutual signing of the formal Purchase and Sales Agreement, the Purchaser shall submit an application and all associated fees to the City of Portland to receive a Text Amendment to the City of Portland, Maine's zoning ordinance for an RP Zone to enable the Purchaser to be on the City of Portland's Planning Board agenda by January 20, 2009. The Purchaser shall have four months (4) from the time of application to receive the Text Amendment to the RP Zone. If necessary on behalf of the Purchaser, the Purchaser will be given up to seventy five (75) additional days in which to receive the Text Amendment as long as the Purchaser has not delayed the approval for reasons within the Purchasers sole control.

16 B.) Planning Approval & Change of Use: Within five (5) business days from the time the Text Amendment comes into effect, the Purchaser shall submit plans, application and fees for the approval of City of Portland's Minor Site Plan Review. From the time of submittal the Purchaser shall have two (2) months in which to receive the approval for the redevelopment of the property and the change of use.

16 C.) Documents: Upon mutual signing of the Purchase and Sales Agreement the Seller, if the items are within the Sellers' control or possession, the Seller shall promptly provide the Purchaser with a copy of all, but not limited too, surveys, structural plans, engineering reports, environmental reports, traffic studies, architectural renderings, floor plans, equipment lists and construction plans for the Purchaser to use to analyze the property and the Premises and to receive their necessary approvals.

16 D.) Leases & Historic Expenses: Within five (5) business days of the mutual signing of the formal Purchase and Sales Agreement, the Seller shall provide the Purchaser with a copy of all leases associated with the property. Furthermore, the Seller shall provide a copy of historic expenses for the property for the time period that Seller has owned the property. The Purchaser shall have five (5) business days in which to review the leases and historic information.

Handwritten initials

17.) MONTHLY PAYMENTS: During the Purchasers' permitting and approval process pertaining to the contract, the Purchaser agrees to submit monthly payments during the term of this contract in the amount of [REDACTED] (\$ [REDACTED]) to the Seller, beginning sixty (60) days after the date of the mutual execution and delivery of the Purchase and Sales Agreement. Such monthly payments will be considered non-refundable; provided, however, that all such payments shall be applied by the Seller as advance payments by the Purchaser toward the total purchase price of the property at closing. The monthly payments will cease immediately at any time that the Purchaser or the Seller notifies the other party, in writing, that such notifying party is terminating the contract.

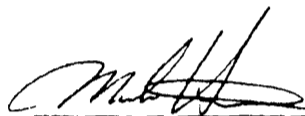
18.) EXITING TENANTS: Thirty (30) days prior to closing, the Purchaser shall notify the Seller, in writing, of its intent to close on the property and the Premises. At the time of closing, the property and the Premises shall be free and clear of all personal property belonging to the Seller.

19. MEDIATION: Any dispute or claim arising out of or relating to this Contract or the premises addressed in this Contract shall be submitted to mediation in accordance with the Maine Residential Real Estate Mediation Rules. This clause shall survive the closing of this transaction with respect to the leases pertaining to the current tenants of the premises.

20, Purchaser is responsible for any commission due Akers Associates, Inc. by separate agreement with Akers Associates, Inc.

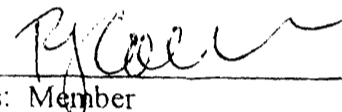
SEEN AND AGREED TO:

**Purchaser: ATH, LLC
and/or assigns**



Its: Managing Member

Seller: Whitewater, LLC



Its: Member

FIRST AMENDMENT TO
ATH, LLC AND WHITEWATER, LLC
LETTER AGREEMENT

This First Amendment to ATH, LLC and Whitewater, LLC Contract for Sale of Real Estate, Fixtures and Related Personal Property, is by and between ATH, LLC, a Delaware limited liability company, and/or assigns, whose mailing address is 16 Equestrian Way, Scarborough, Maine 04074 (hereinafter called the "Purchaser(s)"); and Whitewater, LLC, a Maine limited liability company, with a mailing address at 1601 Congress Street, Portland, ME 04102 (hereinafter referred to as the "Seller(s)"). Purchaser and Seller may be sometimes individually referred to herein as a "Party" and collectively as the "Parties."

RECITALS

WHEREAS, the Parties entered into that certain Contract for Sale of Real Estate, Fixtures and Related Personal Property dated on or about November 17, 2008 (the "Agreement"); and

WHEREAS, the Parties desire to amend the Agreement in accordance with this First Amendment to clarify certain provisions of the Agreement and to include certain additional provisions therein.

NOW, THEREFORE, for and consideration of the mutual covenants and agreements of the Parties contained herein, the Parties hereto hereby agree as follows.


1. **Defined Terms:** Unless otherwise defined herein, all initial capitalized terms in the First Amendment shall have the same meaning ascribed to such terms in the Agreement.
2. **Title:** Section 2 of the Agreement is hereby amended to provide that "each party shall execute all necessary papers on or before August 1, 2009."
3. **Incorporation by Reference:** Unless otherwise amended hereby, all terms and provisions of the Agreement, as amended, are hereby restated, reaffirmed and confirmed in all respects as if copied herein in full.

IN WITNESS WHEREOF, intending to be legally bound hereby, the Parties hereby execute and deliver the First Amendment on the day and year first above written.

ATH, LLC.

WHITEWATER, LLC

By: 
Mark Hutchins
President

By: 
Printed Name: R.J. Collett
Title: Owner, Whitewater LLC

SECOND AMENDMENT TO
ATH, LLC. AND WHITEWATER, LLC
LETTER AGREEMENT
JULY 30, 2009

This Second Amendment to ATH, LLC and Whitewater, LLC Contract for Sale of Real Estate, Fixtures and Related Personal Property, is by and between ATH, LLC, a Delaware limited liability company, and/or assigns, whose mailing address is 16 Equestrian Way, Scarborough, Maine 04074 (hereinafter called the "Purchaser(s)"); and Whitewater, LLC, a Maine limited liability company, with a mailing address at 1601 Congress Street, Portland, ME 04102 (hereinafter referred to as the "Seller(s)"). Purchaser and Seller may be sometimes individually referred to herein as a "Party" and collectively as the "Parties."

RECITALS

WHEREAS, the Parties entered into that certain Contract for Sale of Real Estate, Fixtures and Related Personal Property dated on or about November 17, 2008 (the "Agreement"); and a First Amendment to the contract dated June 8, 2009

WHEREAS, the Parties desire to amend the Agreement in accordance with this Second Amendment to clarify certain provisions of the Agreement and to include certain additional provisions therein.

NOW, THEREFORE, for and consideration of the mutual covenants and agreements of the Parties contained herein, the Parties hereto hereby agree as follows.


1. **Defined Terms:** Unless otherwise defined herein, all initial capitalized terms in the Second Amendment shall have the same meaning ascribed to such terms in the Agreement.
2. **Title:** Section 2 of the Agreement is hereby amended to provide that "each party shall execute all necessary papers on or before October 1, 2009."
3. **Incorporation by Reference:** Unless otherwise amended hereby, all terms and provisions of the Agreement, as amended, are hereby restated, reaffirmed and confirmed in all respects as if copied herein in full.

IN WITNESS WHEREOF, intending to be legally bound hereby, the Parties hereby execute and deliver the Second Amendment on the day and year first above written.

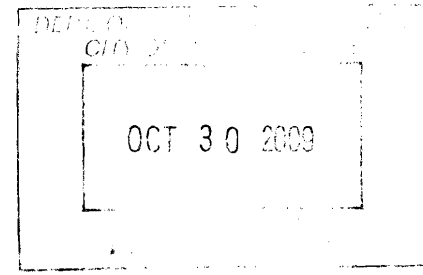
ATH, LLC.

By: 
Mark Hutchins
President

WHITEWATER, LLC

By: 
Printed Name: RJ Collett
Title: Owner





October 29, 2009

Denis L Lemieux, AIA
198 Main Street
Lewiston, ME 04240

Mark Hutchins
ATH Realty LLC
16 Equestrian Way
Scarborough, ME 04074

RE: **660/666 Brighton Avenue; Hutchins Funeral Home**
CBL: 224A A001001
Application ID: (HTE system) 09-79900008

Dear Mr Lemieux and Mr Hutchins:

On October 8, 2009 the Portland Planning Authority approved the minor site plan for the use and refurbishment of the existing medical office building (known as "Doctors Park") at 660/666 Brighton Avenue subject to conditions.

I am writing to confirm that the following conditions have been met:

- i. *That the eastern-most driveway shall be one-way egress only; the applicant shall submit a plan, for review and approval by the Planning Authority prior to the issuance of a building permit, that illustrates the signage and pavement markings to be included in the proposal to convert the eastern-most driveway into a one-way egress only; and*
- ii. *That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and*
- iii. *That the applicant shall submit a copy of the Wastewater Capacity letter prior to the issuance of a building permit.*

If there are any questions, please contact me at (207) 874-8728.

Sincerely,

Jean Fraser
Planner

Electronic Distribution:

Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Kathi Earley, Public Services
Hard Copy: Project File

Bill Clark, Public Services
David Margolis-Pineo, Deputy City Engineer
Jane Ward, Public Services
Jeff Tarling, City Arborist
Tom Errico, Traffic engineering Reviewer



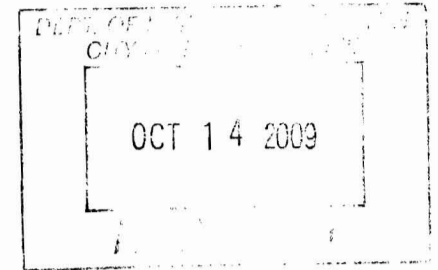
Planning & Urban Development Department
Penny St. Louis Littell, Director

Planning Division
Alexander Jaegerman, Director

October 8, 2009

Denis I. Lemieux, AIA
198 Main Street
Lewiston, ME 04240

Mark Hutchins
ATH Realty LLC
16 Equestrian Way
Scarborough, ME 04074



RE: **660/666 Brighton Avenue; Hutchins Funeral Home**
CBL: 224A A001001
Application ID: (HTE system) 09-79900008

Dear Mr Lemieux and Mr Hutchins:

On October 8, 2009 the Portland Planning Authority approved a minor site plan for the use and refurbishment of the existing medical office building (known as "Doctors Park") at 660/666 Brighton Avenue, for a funeral home as submitted by ATH Realty LLC and shown on the approved plan (Site Plan C-1.2 Rev 2 dated 10.8.2009; Planting Plan L-2 dated 8.25.09; and Elevations A-2.0 dated 9.18.2009 prepared by D.L.L. Associates/Architects) with the following conditions:

- i. That the eastern-most driveway shall be one-way egress only; the applicant shall submit a plan, for review and approval by the Planning Authority prior to the issuance of a building permit, that illustrates the signage and pavement markings to be included in the proposal to convert the eastern-most driveway into a one-way egress only; and
- ii. That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and
- iii. That the applicant shall submit a copy of the Wastewater Capacity letter prior to the issuance of a building permit; and
- iv. That if the City receives any complaints concerning the noise generated by the HVAC condenser units, the owner shall take appropriate measures to mitigate any noise above that allowed by the current ordinance; and
- v. All signage shall be subject to separate sign permits and approvals; and
- vi. Building permits shall be required for all structural additions and changes.

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.

O:\PLAN\Dev Rev\Brighton Ave - 666 (Funeral Home) (aka660 Brighton) Correspondence\APPROVAL LETTER 660-666 Brighton 10.8.09.doc

389 Congress Street • Portland, ME 04101-3509 • Phone: 207-874-8721 or 874-8719 • Fax: 756-8258 • TTY: 874-8936

The site abuts the Capisic Brook watershed (an urban impaired watershed) which has both flooding and water quality problems. The applicant has agreed to develop and submit a **management plan** that sets out future intentions for reducing the storm water runoff and pollution to Capisic Brook that results from the use of this site. Such plan could include bio filtration unit(s) along rear of the parking area, reduction where possible of impervious area, planting of additional trees in and around the parking area, and methods of disposal of garden waste so that it is not within the Capisic floodplain. The City is working with landowners and other interested parties to improve the Capisic Brook Watershed and further information and advice is available from Doug Roncarati, Department of Public Services (C/0 874- 8846 or DAR@portlandmaine.gov).

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

1. The site shall be developed and maintained as depicted in the site plan and the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or the planning authority pursuant to the terms of this article. Any such parcel lawfully altered prior to the enactment date of these revisions shall not be further altered without approval as provided herein. Modification or alteration shall mean and include any deviations from the approved site plan including, but not limited to, topography, vegetation and impervious surfaces shown on the site plan. No action, other than an amendment approved by the planning authority or Planning Board, and field changes approved by the Public Services authority as provided herein, by any authority or department shall authorize any such modification or alteration.
2. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
3. Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
4. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Dept. prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
5. 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. Requests to extend approvals must be received before the expiration date.
6. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
7. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Service'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 pre-construction meeting.

8. 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.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Jean Fraser at 874- 8728.

Sincerely,

Alexander Jaegerman
Planning Division Director

Attachment: Performance Guarantee Packet

Electronic Distribution:

Penny St. Louis Littell, Director of Planning and Urban Development
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Jean Fraser, Planner
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Tammy Munson, Inspections Division Director
Gayle Guertin, Inspections Division
Lannie Dobson, Inspections Division
Michael Bobinsky, Public Services Director
Kathi Farley, Public Services
Bill Clark, Public Services
David Margolis-Pineo, Deputy City Engineer
Doug Roncarati, Public Services
Todd Merkle, Public Services
Greg Vining, Public Services
John Low, Public Services
Jane Ward, Public Services
Keith Gautreau, Fire
Jeff Farling, City Arborist
Tom Errico, Wilbur Smith Consulting Engineers
Dan Goyette, Woodard & Curran
Assessor's Office
Approval Letter File

Hard Copy: Project File

*Comments Submitted
Final Comments added*

City of Portland
Development Review Application
Planning Division Transmittal form

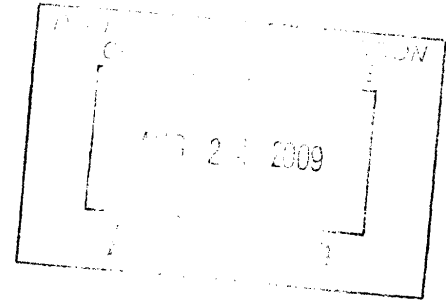
Application Number: 09-79900008 **Application Date:** 8/24/09
Project Name: HUTCHINS FUNERAL HOME
Address: 666 Brighton Ave **CBL:** 224A- A-001-001
Project Description: Hutchins Funeral Home; 666 Brighton Ave [Aka 660 Brighton]; Ath Realty Llc, Applicant
Zoning: R-P

Other Reviews Required:
Review Type: MINOR SITE PLAN

ATH Realty, LLC
16 Equestrian Way

Scarborough Me 04074
Denis L. Lemieux, AIA
198 Main Street

Lewiston Me 04240



Distribution List:

<input checked="" type="checkbox"/> Planner	Barbara Barhydt	<input checked="" type="checkbox"/> City Arborist	Jeff Tarling
<input checked="" type="checkbox"/> Zoning Administrator	Marge Schmuckal	<input checked="" type="checkbox"/> Design Review	Alex Jaegerman
<input checked="" type="checkbox"/> Traffic	Tom Errico	<input checked="" type="checkbox"/> Corporation Counsel	Danielle West-Chuhta
<input checked="" type="checkbox"/> Inspections	Tammy Munson	<input checked="" type="checkbox"/> Sanitary Sewer	John Emerson
<input checked="" type="checkbox"/> Fire Department	Keith Gautreau	<input checked="" type="checkbox"/> Stormwater	Dan Goyette
<input checked="" type="checkbox"/> Parking	John Peverada	<input checked="" type="checkbox"/> Historic Preservation	Deb Andrews
<input checked="" type="checkbox"/> Engineering	David Margolis-Pineo	<input type="checkbox"/> Outside Agency	
<input checked="" type="checkbox"/> DRC Coordinator	Phil DiPierro		

Preliminary Comments needed by:

Final Comments needed by:

Applicant: Hutchins Funeral Home Date: 8/24/09

Address: 660 Brighton Ave C-B-L: 224A-A-001

CHECK-LIST AGAINST ZONING ORDINANCE

Date -

Zone Location - R-P

Existing building

Interior or corner lot -

Proposed Use/Work - change of use from professional offices to funeral homes

Sewage Disposal - City lift Re roof & Add AN elevator Egress Deck on side

Lot Street Frontage - 60' min 60'+ shown

Front Yard - 20' min 20' shown

Rear Yard - 20' min req - 93' to

Side Yard - 12' min - 181' & 49' shown

Projections - two story new elevator & new stairs

Width of Lot - 60' min - 60' shown

Height - 45' max - existing Bldg

Lot Area - 6,000 sq ft - ~~78,576 sq ft per assessors~~ 84,506.4 (1.94 Acres)

Lot Coverage/ Impervious Surface -

Area per Family - NA

Off-street Parking - parking spaces not shown -> shown on another plat reducing 1 parkg space between bldg & front yard

Loading Bays -

Site Plan - 09-79900008

Shoreland Zoning/ Stream Protection - N/A

Flood Plains - Panel 12 - Zone X
7 g) -> hours of operation needed
ok Floor area ratios = .70 max

New sewage
 $\frac{8664 \text{ (Assessors)}}{84506.4} = 10.25\% \text{ of}$

existing 80 spaces
reducing to 79

From: Marge Schmuckal
To: Jean Fraser
Date: 9/25/2009 1:59:59 PM
Subject: 666 Brighton Ave

Jean,

We have received a permit application for this project. I am not yet signing off on zoning, but will pass it on to Fire and Building for their respective reviews.

Marge

Order 166-08/09
Passage: 3/3/09 9-0
JILL C. DUSON (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
DANIEL S. SKOLNIK (3)
CHERYL A. LEEMAN (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

JOHN R. COYNE (5)
JOHN M. ANTON (A/L)
DORY RICHARDS WAXMAN (A/L)
NICHOLAS M. MAVODONES (A/L)

**AMENDMENT TO PORTLAND CITY CODE
CHAPTER 14 LAND USE
ARTICLE III. ZONING
SECTIONS 14-147 AND 14-151**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

1. *That Sections 14-147 and 14-151 of the Portland City Code are hereby amended to read as follows:*

Sec. 14-147. Permitted uses.

The following uses are permitted in the R-P district:

(b) Business:

1. Professional offices, including the offices and facilities of health care practitioners and related laboratory and pharmacy services and health care administration, but excluding personal services, retail establishments and veterinarians.
2. Business services, as defined in section 14-47, except copy services.
3. Adult day care services.
4. Mortuaries or funeral homes.

Sec. 14-151. External effects.

Every use in a R-P zone shall be subject to the following requirements:

(g) The hours of operation of funeral homes (including processions) may be restricted and/or traffic management measures may be required, in order to avoid impacts to the public street

Orders:\ R-P Zone Amendments re Funeral Homes

system, if so recommended by the City Traffic
Engineer or comparable professional.

Orders\ R-P Zone Amendments re Funeral Homes

Zoning Administrator Marge Schmuckal
09/15/2009

This is a change of use from doctor's offices to a funeral home located within the R-P Zone. The use of mortuaries or funeral homes are a listed, permitted use in the R-P Zone. The apparent floor area is currently 8,664 square feet which requires a minor site plan review. There is an elevator being installed on the parking lot side and an egress deck on the opposite side.

All additions and building changes are meeting the R-P Zone setbacks and floor area ratio requirements. The new use is also meeting the parking requirements. The plans that I reviewed show 80 existing parking spaces with the new proposal showing 79 parking spaces instead of the 83 parking spaces which are listed in the documentation. I am not sure where the discrepancy comes from. Either way, the parking requirements are more than being met for the project.

When the mortuary/funeral home use was recently added to the Land Use Zoning Ordinance, there was also an external effect requirement regarding the hours of operation. I looked through the submittal, but I did not see the actual proposed hours of operation. I did see that funeral processions would not depart from the 660 Brighton Avenue property site after 3:00 pm unless written permission is granted by the Chief of Police. Because there is a requirement in the Ordinance, I will need to know the hours of operation.

I will need to know if there are any changes to the HVAC system(s) so that I can determine whether noise requirements are being met.

Separate permits are required for any new signage. Building permits are required for all structural additions and changes.

10/08/09

The applicant has submitted further information regarding the HVAC systems and their decibel ratings. The information confirms what the decibel readings would be at distance of 20 feet. Only one unit is above the maximum 55 dBA allowed by 14-151. Further, it is my understanding that the HVAC units closest to the property side line will be moved to the rear or other side of the building thereby decreasing any noise violation.

I am giving my final approval with the condition that if there are future complaints received concerning the noise generated by these units that the owner will take appropriate measures to mitigate any noise above what the current ordinance allows.

All other conditions listed previously are still in force.

9/30/09

I have reviewed the submitted information contained in a letter dated September 24, 2009. From a Zoning standpoint the hours of general operation seem reasonable.

I can appreciate that the owner intends on installing units that will produce the least amount of decibels. However, there are specific guidelines within the Zoning Ordinance: the sound of

volume of the noise created shall not be greater than 55 dBAs on an "A" scale at lot boundaries. I would like copies of the catalog cuts with the manufactures specifications so that I can determine whether they will meet the noise guidelines. If attenuation panels are required, this would be the time to know that.



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

Penny St. Louis Littell, Director of Planning and Development
Marge Schmuckal, Zoning Administrator

Meeting Information

DATE: 3/2-4/09 ZONE: R-P

LOCATION: 660 Brighton Ave

PEOPLE PRESENT: Andrew Jarvis - Mr. Hutchins -
Jean F - Marge Schmuckal

DISCUSSION:

went over site PLAN requirements lighting
went over parking & the possibility of being able to
use abutting parking lots after hours -
talked about cover letters
went over floor plans
landscaping & topography
Clear information relate to traffic
Discussed the Bldg permit process also

Please note: this meeting is not an pre-approval of any ordinances. No project can be approved without going thru the appropriate reviews. This meeting is only to outline the City processes to go through based on the information given at this meeting. Any changes to that information may change the process requirements. Please check ordinances that are on-line for further information at www.portlandmaine.gov.

Order 166-08/09
Passage: 3/3/09 9-0
JILL C. DUSON (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
DANIEL S. SKOLNIK (3)
CHERYL A. LEEMAN (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

JOHN R. COYNE (5)
JOHN M. ANTON (A/L)
DORY RICHARDS WAXMAN (A/L)
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3. Adult day care services.
4. Mortuaries or funeral homes.

Sec. 14-151. External effects.

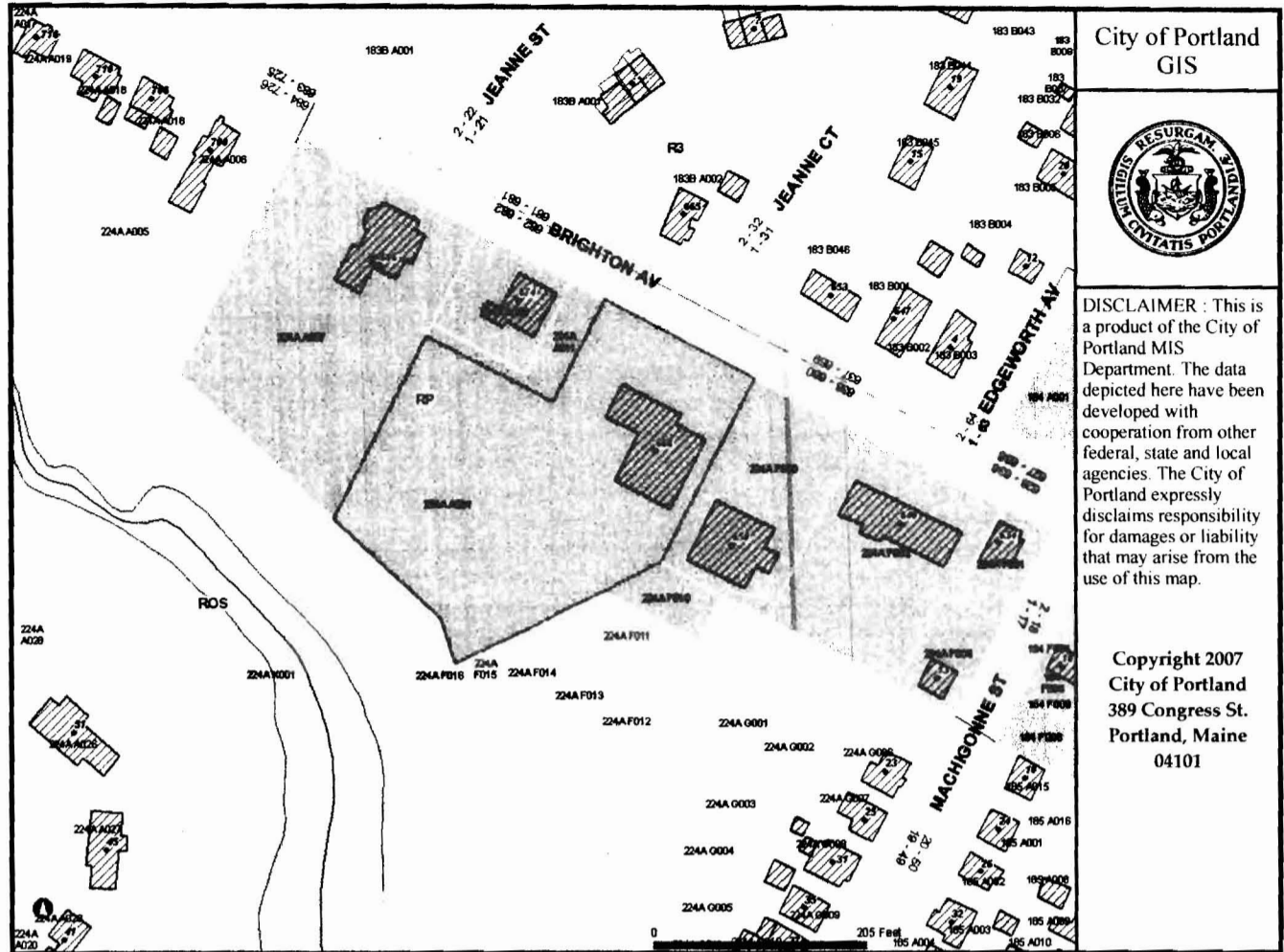
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- (g) The hours of operation of funeral homes (including processions) may be restricted and/or traffic management measures may be required, in order to avoid impacts to the public street

Orders:\ R-P Zone Amendments re Funeral Homes

system, if so recommended by the City Traffic Engineer or comparable professional.

Orders:\ R-P Zone Amendments re Funeral Homes





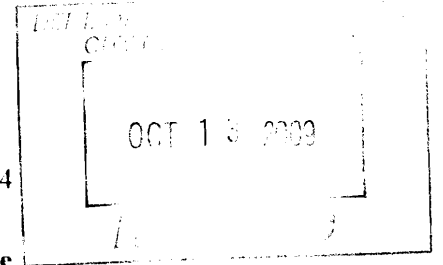
Planning & Urban Development Department
Penny St. Louis Little, Director

Planning Division
Alexander Jaegerman, Director

October 8, 2009

Denis L. Lemieux, AIA
198 Main Street
Lewiston, ME 04240

Mark Hutchins
ATH Realty LLC
16 Equestrian Way
Scarborough, ME 04074



RE: **660/666 Brighton Avenue; Hutchins Funeral Home**
CBL: 224A A001001
Application ID: (HTE system) 09-79900008

Dear Mr Lemieux and Mr Hutchins:

On October 8, 2009 the Portland Planning Authority approved a minor site plan for the use and refurbishment of the existing medical office building (known as "Doctors Park") at 660/666 Brighton Avenue, for a funeral home as submitted by ATH Realty LLC and shown on the approved plan (Site Plan C-1.2 Rev 2 dated 10.8.2009; Planting Plan L-2 dated 8.25.09; and Elevations A-2.0 dated 9.18.2009 prepared by DLL Associates/Architects) with the following conditions:

- i. That the eastern-most driveway shall be one-way egress only; the applicant shall submit a plan, for review and approval by the Planning Authority prior to the issuance of a building permit, that illustrates the signage and pavement markings to be included in the proposal to convert the eastern-most driveway into a one-way egress only; and
- ii. That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and
- iii. That the applicant shall submit a copy of the Wastewater Capacity letter prior to the issuance of a building permit; and
- iv. That if the City receives any complaints concerning the noise generated by the HVAC condenser units, the owner shall take appropriate measures to mitigate any noise above that allowed by the current ordinance; and
- v. All signage shall be subject to separate sign permits and approvals; and
- vi. Building permits shall be required for all structural additions and changes.

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.

O:\PLAN\Dev Rev\Brighton Ave - 666 (Funeral Home) (aka660 Brighton)\Correspondence\APPROVAL LETTER 660-666 Brighton 10.8.09.doc

389 Congress Street • Portland, Maine 04101-2509 • Ph: (207) 874-8721 or 874-8719 • Fx: 756-8258 • TTY: 874-8935

The site abuts the Capisic Brook watershed (an urban impaired watershed) which has both flooding and water quality problems. The applicant has agreed to develop and submit a **management plan** that sets out future intentions for reducing the storm water runoff and pollution to Capisic Brook that results from the use of this site. Such plan could include bio filtration unit(s) along rear of the parking area, reduction where possible of impervious area, planting of additional trees in and around the parking area, and methods of disposal of garden waste so that it is not within the Capisic floodplain. The City is working with landowners and other interested parties to improve the Capisic Brook Watershed and further information and advice is available from Doug Roncarati, Department of Public Services (C/O 874- 8846 or DAR@portlandmaine.gov).

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

1. The site shall be developed and maintained as depicted in the site plan and the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or the planning authority pursuant to the terms of this article. Any such parcel lawfully altered prior to the enactment date of these revisions shall not be further altered without approval as provided herein. Modification or alteration shall mean and include any deviations from the approved site plan including, but not limited to, topography, vegetation and impervious surfaces shown on the site plan. No action, other than an amendment approved by the planning authority or Planning Board, and field changes approved by the Public Services authority as provided herein, by any authority or department shall authorize any such modification or alteration.
2. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
3. Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
4. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Dept. prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
5. 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. Requests to extend approvals must be received before the expiration date.
6. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
7. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Service'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 pre-construction meeting.

8. 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.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Jean Fraser at 874- 8728.

Sincerely,

Alexander Jaegerman
Planning Division Director

Attachment: Performance Guarantee Packet

Electronic Distribution:

Penny St. Louis Littell, Director of Planning and Urban Development
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Jean Fraser, Planner
Philipp DiPierro, Development Review Coordinator
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Doug Roncarati, Public Services
Todd Merkle, Public Services
Greg Vining, Public Services
John Low, Public Services
Jane Ward, Public Services
Keith Gautreau, Fire
Jeff Larling, City Arborist
Tom Errico, Wilbur Smith Consulting Engineers
Dan Goyette, Woodard & Curran
Assessor's Office
Approval Letter File

Hard Copy: Project File

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

Permit No: 09-1056	Date Applied For: 09/23/2009	CBL: 224A A001001
------------------------------	--	-----------------------------

Location of Construction: 666 BRIGHTON AVE	Owner Name: WHITEWATER LLC	Owner Address: 1601 CONGRESS ST	Phone:
Business Name:	Contractor Name: Homeworks Builders / Ron Milley	Contractor Address: 1039 Riverside St Suite 5 Portland	Phone (207) 650-7435
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	

Proposed Use: Commercial - Funeral Home - Change of use from Medical Office Building to Funeral Home	Proposed Project Description: Change of use from Medical Office Building to Funeral Home
--	--

Dept: Zoning	Status:	Reviewer: Marge Schmuckal	Approval Date:	Ok to Issue: <input type="checkbox"/>
Note:				
Dept: Building	Status: Pending	Reviewer:	Approval Date:	Ok to Issue: <input type="checkbox"/>
Note:				
Dept: Fire	Status: Approved with Conditions	Reviewer: Capt Keith Gautreau	Approval Date: 10/13/2009	Ok to Issue: <input checked="" type="checkbox"/>
Note:				
<ol style="list-style-type: none"> 1) The Fire alarm and Sprinkler systems shall be reviewed by a licensed contractor[s] for code compliance. Compliance letters are required. 2) All fire alarm records required by NFPA 72 should be stored in an approved cabinet located at the FACP and keyed alike, labeled "FIRE ALARM RECORDS". 3) System acceptance and commissioning must be co-ordinated with alarm and suppression system contractors and the Fire Department. Call 874-8703 to schedule. 4) The Fire Department will require Knox locking caps on all Fire Department Connections on the exterior of the building. 5) Fire department sprinkler connection type and location shall be approved in writing by fire prevention bureau. 6) Application requires State Fire Marshal approval. 7) The sprinkler system shall be installed in accordance with NFPA 13. 8) All construction shall comply with NFPA 101 9) The fire alarm system shall comply with NFPA 72 and Fire Department Technical Standard. A compliance letter is required. 10) A separate Sprinkler System Permit is required. 11) Occupancies with an occupant load of 100 persons or more require panic hardware on all doors serving as a means of egress. 12) Emergency lights and exit signs are required. Emergency lights and exit signs are required to be labeled in relation to the panel and circuit. 13) Fire alarm system requires a Masterbox connection per city ordinance. Masterbox design and installation shall be as approved by City Electrical Division. 14) Fire extinguishers required. Installation per NFPA 10 15) Emergency lights are required to be tested at the electrical panel on the same circuit as the lighting for the area they serve. 16) 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. 				



PORTLAND MAINE

Planning Division
Jean Fraser, Planner

10-8-09

Marge,

My only copy as
photocopied
broken down

Andrew Juris brought these in just now - the 3 highlighted ones are the ones they are using.

Since its "close" at 20' at side (act 19?) next to wall, hes proposing to put them at the rear of the property where they will be 30'+ away - if he does that can be base a "sign off" on these rules so they don't need to do more rules for the 30' location (or else put in a condition) as they really need the approval letter.

I'll try to reach you later today - approval letter is drafted and ready to get signed otherwise.
Thanks you.

From: lguidi@bellinogrossoinc.com
To: andrewprudential@aol.com
Cc: jason@bellinogrossoinc.com
Subject: Fwd: FW: Fw: YORK TCGD - SOUND DATA
Date: Thu, Oct 8, 2009 7:28 am

Attached Message

From: Victor Soto BR9 <vis@fwwebb.com>
To: LGUIDI@BELLINOGRASSOINC.COM
Subject: FW: Fw: YORK TCGD - SOUND DATA
Date: Thu, 8 Oct 2009 07:11:12 -0400

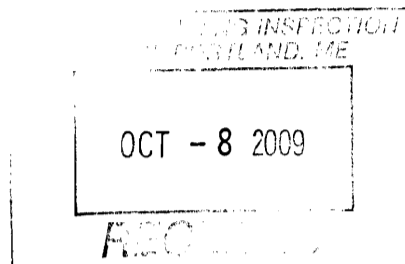
Larry, here is additional information for the funeral home project. I hope this will satisfy your contacts and the city. Should you need any additional information please do not hesitate to contact us. Thanks,

Victor Soto - HVAC Inside Sales; Branch #9



F.W. WEBB COMPANY

150 Postal Service Way, SO. Portland, ME 04106
PH: 207-780-1492 FX: 207-780-1610
Visit us: <http://www.fwwebb.com/>
Email me: vis@fwwebb.com



From: Sean.E.Mullin@jci.com [mailto:Sean.E.Mullin@jci.com]
Sent: Wednesday, October 07, 2009 5:03 PM
To: Victor Soto BR9
Subject: RE: Fw: YORK TCGD - SOUND DATA

Victor,

Below are the **Sound Pressure Level** extrapolations from the latest **SOUND POWER LEVEL** measurements per **AHRI 270-2008** for the (T/G)CGD R-410a single phase 60Hz units for sound ratings in dB at 20 ft from the product. These extrapolations are based on the assumption that you are taking a sound measurements at 20 ft from the unit via a hand held sound pressure level meter, and that the units are **NOT** located in a corner and are located near a wall.

	AHRI 260-2008	extrapolated
(T/G)CGD18S41S1	73 dBA	52 dBA
- (T/G)CGD24S41S1	76 dBA	56 dBA
(T/G)CGD30S41S1	75 dBA	55 dBA
- (T/G)CGD36S41S1	75 dBA	54 dBA
(T/G)CGD42S41S1	75 dBA	54 dBA
(T/G)CGD48S41S1	76 dBA	56 dBA
- (T/G)CGD60S41S1	75 dBA	54 dBA

Sean Mullin
Test Technician,

14-151 - 55 dBA at lot boundaries

Residential Engineering Sound Lab
UPG Building Efficiency
Johnson Controls Inc.
Wichita, Ks
Tel. 316-832-6426
sean.e.mullin@jci.com

"Victor Soto BR9" <vis@fwwebb.com>

To <Sean.E.Mullin@jci.com>

10/06/2009 10:55 AM

cc

Subject RE: Fw: YORK TCGD - SOUND DATA

Could you print out a result sheet or screen print the program result and email to me? Anything.....if it is ok I can forward your contact info to the engineer or architect.

Victor Soto - HVAC Inside Sales; Branch #9



F.W. WEBB COMPANY

150 Postal Service Way, SO. Portland, ME 04106
PH: 207-780-1492 FX: 207-780-1610

Visit us: <http://www.fwwebb.com/>

Email me: vis@fwwebb.com



From: Sean.E.Mullin@jci.com [mailto:Sean.E.Mullin@jci.com]
Sent: Tuesday, October 06, 2009 11:47 AM
To: vis@fwwebb.com
Subject: Re: Fw: YORK TCGD - SOUND DATA

Victor,

I am sorry, but I cannot send you my extrapolation program. I am happy to receive communication from you engineers or inspector.

Sean Mullin
Test Technician,
Residential Engineering Sound Lab
UPG Building Efficiency
Johnson Controls Inc.
Wichita, Ks
Tel. 316-832-6426
sean.e.mullin@jci.com

Location of Construction: 666 BRIGHTON AVE	Owner Name: WHITEWATER LLC	Owner Address: 1601 CONGRESS ST	Phone:
Business Name:	Contractor Name: Homeworks Builders / Ron Milley	Contractor Address: 1039 Riverside St Suite 5 Portland	Phone (207) 650-7435
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	

- 17 Fire Alarm system shall be maintained.
If system is to be off line over 4 hours a fire watch shall be in place.
Dispatch notification required 874-8576.
- 18 A separate Fire Alarm System Permit is required.
- 19 Installation of a Fire Alarm system requires a Knox Box to be installed per city ordinance

Comments:

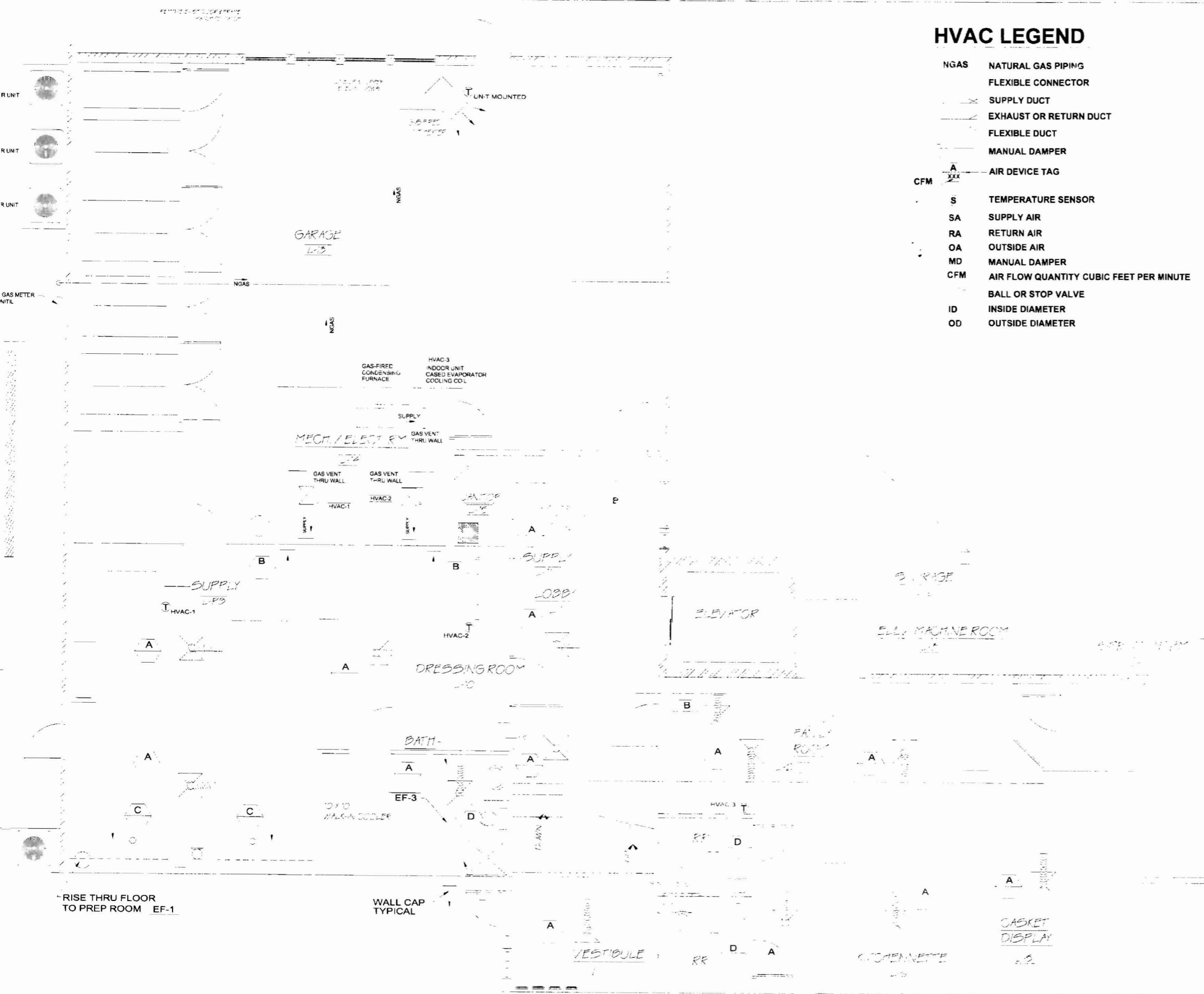
9/25/2009-mes: Passing on for fire and building coeds review - STILL UNDER SITE PLAN REVIEW PROCESS - DO NOT ISSUE PERMIT RETURN TO MARGE FOR ZONING REVIEW.

10/13/2009-mes: Recieved approval letter - still waiting for final planning sign off - MES

10/13/2009-gg: Received HVAC stamped plans as of 10/13/09. The HVAC plans are included in the building permit fee. The HVAC application will be applied for later with a minimum fee. (spoke with applicant (Andrew) and Jeanie this morning (10/14/09) and this was the agreed upon decision). Gave back to Keith for review. Gg

Keith 10/14/09 GO

OK FD is all set
w/ HVAC. 10/15/2009
(RG)



HVAC LEGEND

NGAS	NATURAL GAS PIPING
	FLEXIBLE CONNECTOR
	SUPPLY DUCT
	EXHAUST OR RETURN DUCT
	FLEXIBLE DUCT
	MANUAL DAMPER
A	AIR DEVICE TAG
S	TEMPERATURE SENSOR
SA	SUPPLY AIR
RA	RETURN AIR
OA	OUTSIDE AIR
MD	MANUAL DAMPER
CFM	AIR FLOW QUANTITY CUBIC FEET PER MINUTE
	BALL OR STOP VALVE
ID	INSIDE DIAMETER
OD	OUTSIDE DIAMETER

HVAC GENERAL NOTES

1. COORDINATE HVAC WORK WITH OTHER TRADES
2. ALL DUCTWORK SHALL BE CONCEALED AND LOCATED ON WARM SIDE OF BUILDING INSULATION
3. ALL DUCTWORK IS SHOWN DIAGRAMMATICALLY. EXACT LOCATIONS ARE TO BE DETERMINED IN THE FIELD IN COORDINATION WITH OTHER TRADES.
4. ALL DUCT SIZES SHOWN ARE OUTSIDE DIMENSIONS.
5. COORDINATE LOCATION OF CEILING DIFFUSERS WITH CEILING GRID
6. PROVIDE BALANCING DAMPER IN ALL BRANCH CONNECTIONS
7. USE SPIN-IN FITTINGS AND DAMPERS WITH FLEX DUCT WHERE POSSIBLE
8. EXISTING GAS METER TO BE RELOCATED AS SHOWN UNLESS GAS COMPANY REDIRECTS
9. REVISE EXISTING EQUIPMENT PAD
10. ALL 3" "COMBUSTION AIR" INTAKE AIR FOR FURNACES WILL BE ROUTED UP THROUGH CHASE TO ROOF. COMBUSTION VENTS WILL BE CONCENTRIC
11. UNDERCUT OFFICE DOORS
12. AIR BALANCING DAMPERS REQUIRED ON ALL DIFFUSERS & RETURN AIR GRILLES
13. NO FLEX DUCT IN EXCESS OF 8'-LONG RUNS
14. AIR SUPPLY DUCT WILL BE WRAPPED
15. CONNECTION OF DUCTWORK TO EQUIPMENT WILL REQUIRE A FLEXIBLE CONNECTION

DATE
DESCRIPTION
REVISIONS
SYW

Engineer
WHITNEY ENGINEERING, P.A.
10 Danforth Street
Portland, Maine 04101

Mechanical Contractor
BELINO-GROSSO, INC.
980 Riverside Street
Portland, Maine 04101

DESIGNED BY: RPW
DRAWN BY: LWL
CHECKED BY: RPW

SEAL
October 13, 2009

*666 Brighton
#091056
274A001*

RECEIVED

OCT 13 2009

Dept. of Building Inspections
City of Portland Maine

HUTCHINS FUNERAL HOME
Brighton Avenue
PORTLAND, MAINE
HVAC RENOVATION PLAN

HVAC FLOOR PLAN LOWER LEVEL
SCALE: 1/4" = 1'-0"

DESIGN-BUILD PROGRESS
SUBMISSION FOR REVIEW AND PERMIT

COMMISSION NO.: None Assigned
SCALE: 1/4" = 1'-0"
DATE: OCTOBER 13, 2009
SHEET: HVAC-1
NO. OF SHEETS: 1 OF 3



RISE THRU ATTIC TO PREP ROOM EF-1

HVAC FLOOR PLAN UPPER LEVEL
SCALE: 1/4" = 1'-0"

DESIGN-BUILD PROGRESS
SUBMISSION FOR REVIEW AND PERMIT

REVISIONS	DESCRIPTION	DATE
SW		

Engineer
WHITNEY ENGINEERING, P.A.
10 Danforth Street
Portland, Maine 04101

Mechanical Contractor
BELLINO-GROSSO, INC.
980 Riverside Street
Portland, Maine 04101



DESIGNED BY	RPW
DRAWN BY	LWL
CHECKED BY	RPW

HUTCHINS FUNERAL HOME
Brighton Avenue
PORTLAND, MAINE
HVAC RENOVATION PLAN

COMMISSION NO.:	None Assigned
SCALE	1/4" = 1'-0"
DATE	OCTOBER 13, 2009
SHEET	HVAC-2
NO. OF SHEETS	2 OF 3

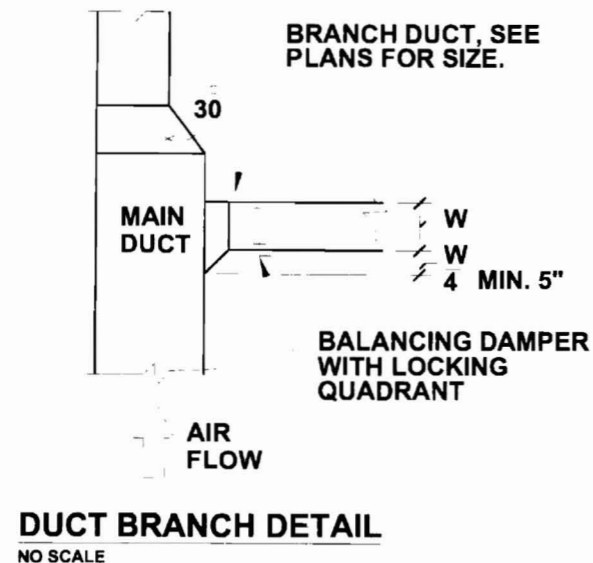
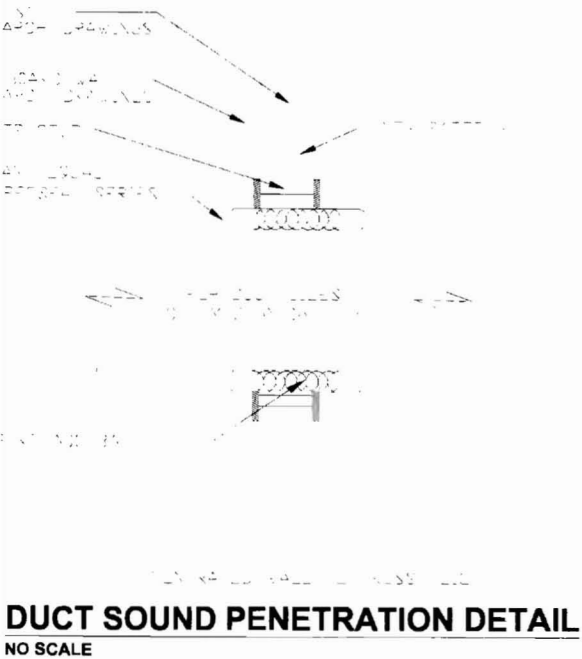
DIFFUSER/REGISTER/GRILLE SCHEDULE								
UNIT	DESCRIPTION	SIZE	CFM	MAX NC	THROW (FT)	S.P.	PATTERN	NOTES
A	SUPPLY DIFFUSER			19	17'-8"-5"	0.010		
B	RETURN REGISTER	AS SHOWN	AS SHOWN	25	-	.05	4-WAY	
C	EXHAUST REGISTER	AS SHOWN	AS SHOWN	25	-	0.12	-	
D	CEILING EXHAUST REGISTER	AS SHOWN	AS SHOWN	25	-	.05	-	
E								

FAN SCHEDULE							
TAG	SERVICE	CFM	ESP	HP	POWER	MAX SONES	NOTES
EF-1	PREP ROOM EXHAUST				115/60/1	5.0	1
EF-2	ROOM EXHAUST				115/60/1	5.0	1
EF-3	TOILET EXHAUST LOWER LEVEL BATH	75	0.375		115/60/1	5.0	2
EF-4	TOILET EXHAUST LOWER/UPPER LEVEL	75	0.375		115/60/1	5.0	3
EF-5	JAN. CLO. EXHAUST	75	0.375		115/60/1	5.0	2

- NOTES:
1. PROVIDE MANUAL OPERATED FAN SWITCH W/ PILOT LIGHT AND GRAVITY DAMPER AT ROOF HOOD
 2. PROVIDE FAN-LIGHT-TIMER WALL SWITCH, GRAVITY DAMPER AND ROOF CAP
 3. PROVIDE FAN-LIGHT-TIMER WALL SWITCH IN EACH RR W/ GRAVITY DAMPER AND ROOF CAP AT FAN

OUTDOOR HVAC UNIT SCHEDULE						
UNIT TAG	HVAC-1	HVAC-2	HVAC-3	HVAC-4	HVAC-5	HVAC-6
LOCATION	EXTERIOR	EXTERIOR	EXTERIOR	EXTERIOR	EXTERIOR	EXTERIOR
SERVICE	A-COIL	A-COIL	A-COIL	A-COIL	A-COIL	A-COIL
MAKE	YORK, INC.	YORK, INC.	YORK, INC.	YORK, INC.	YORK, INC.	YORK, INC.
MODEL						
TYPE	AIR COOLED	AIR COOLED	AIR COOLED	AIR COOLED	AIR COOLED	AIR COOLED
COOL CAP SENSIBLE MBH						
COOL CAP TOTAL MBH						
EFFICIENT AIR F	85	85	85	85	85	85
MINIMUM SEER EFFICIENCY RATING						
VOLTAGE	208/230	208/230	208/230	208/230	208/230	208/230
HERTZ	60	60	60	60	60	60
PHASE	1	1	1	1	1	1
MCA						
FUSE MAX AMPS						
LOW AMBIENT	0F	0F	0F	0F	0F	0F
WEIGHT LBS.						
REMARKS	PROVIDE TXV VALVE AND R-410A REFRIGERANT					

INDOOR HVAC UNIT SCHEDULE						
UNIT TAG	HVAC-1	HVAC-1	HVAC-1	HVAC-1	HVAC-1	HVAC-1
LOCATION						
SERVICE	HEATING & COOLING	HEATING & COOLING	HEATING & COOLING	HEATING & COOLING	HEATING & COOLING	HEATING & COOLING
MAKE	YORK INC.	YORK INC.	YORK INC.	YORK INC.	YORK INC.	YORK INC.
MODEL	2-TONS	1-1/2-TONS	5-TONS	5-TONS	5-TONS	5-TONS
C.F.M.						
EXT. S.P. IN W.C.	0.50	0.50	0.50	0.50	0.50	0.50
ENT. AIR DB °F	80	80	80	80	80	80
TEMP. WB °F	67	67	67	67	67	67
EVAP. TEMP °F	45	45	45	45	45	45
COOL CAP SENSIBLE A-COIL TOTAL						
HEATING INPUT MBH						
HEATING OUTPUT MBH						
FUEL/Firing Rate GPH	NATURAL GAS	NATURAL GAS	NATURAL GAS	NATURAL GAS	NATURAL GAS	NATURAL GAS
MOTOR HP						
POWER	120/60/1	120/60/1	120/60/1	120/60/1	120/60/1	120/60/1
CONTROL AMPS	NOT AVAILABLE	NOT AVAILABLE	NOT AVAILABLE	NOT AVAILABLE	NOT AVAILABLE	NOT AVAILABLE
MAX. UNIT AMPS						
FUSE MAX						
MIN. O.A. CFM	0	0	0	0	0	0
DRIVE-SEE NOTE 2	DIRECT	DIRECT	DIRECT	DIRECT	DIRECT	DIRECT
WT. LBS.						
MIN. SEER	SEE OUTDOOR UNIT	SEE OUTDOOR UNIT	SEE OUTDOOR UNIT	SEE OUTDOOR UNIT	SEE OUTDOOR UNIT	SEE OUTDOOR UNIT
MIN. AFUE % RATING						
NOTES:	1. PROVIDE FURNACE WITH MULTI-SPEED FAN MOTOR					



HVAC SCHEDULES AND DETAILS
NO SCALE

DESIGN-BUILD PROGRESS
SUBMISSION FOR REVIEW AND PERMIT

REVISIONS: DATE, DESCRIPTION, SYN

Engineer: **WHITNEY ENGINEERING, P.A.**
10 Danforth Street
Portland, Maine 04101

Mechanical Contractor: **BELLINO-GROSSO, INC.**
980 Riverside Street
Portland, Maine 04101

DESIGNED BY: RPW
DRAWN BY: LWL
CHECKED BY: RPW

Stamp: October 13, 2009

HUTCHINS FUNERAL HOME
Brighton Avenue
PORTLAND, MAINE
HVAC RENOVATION PLAN

COMMISSION NO: None Assigned

SCALE: NO SCALE

DATE: OCTOBER 13, 2009

SHEET: HVAC-3

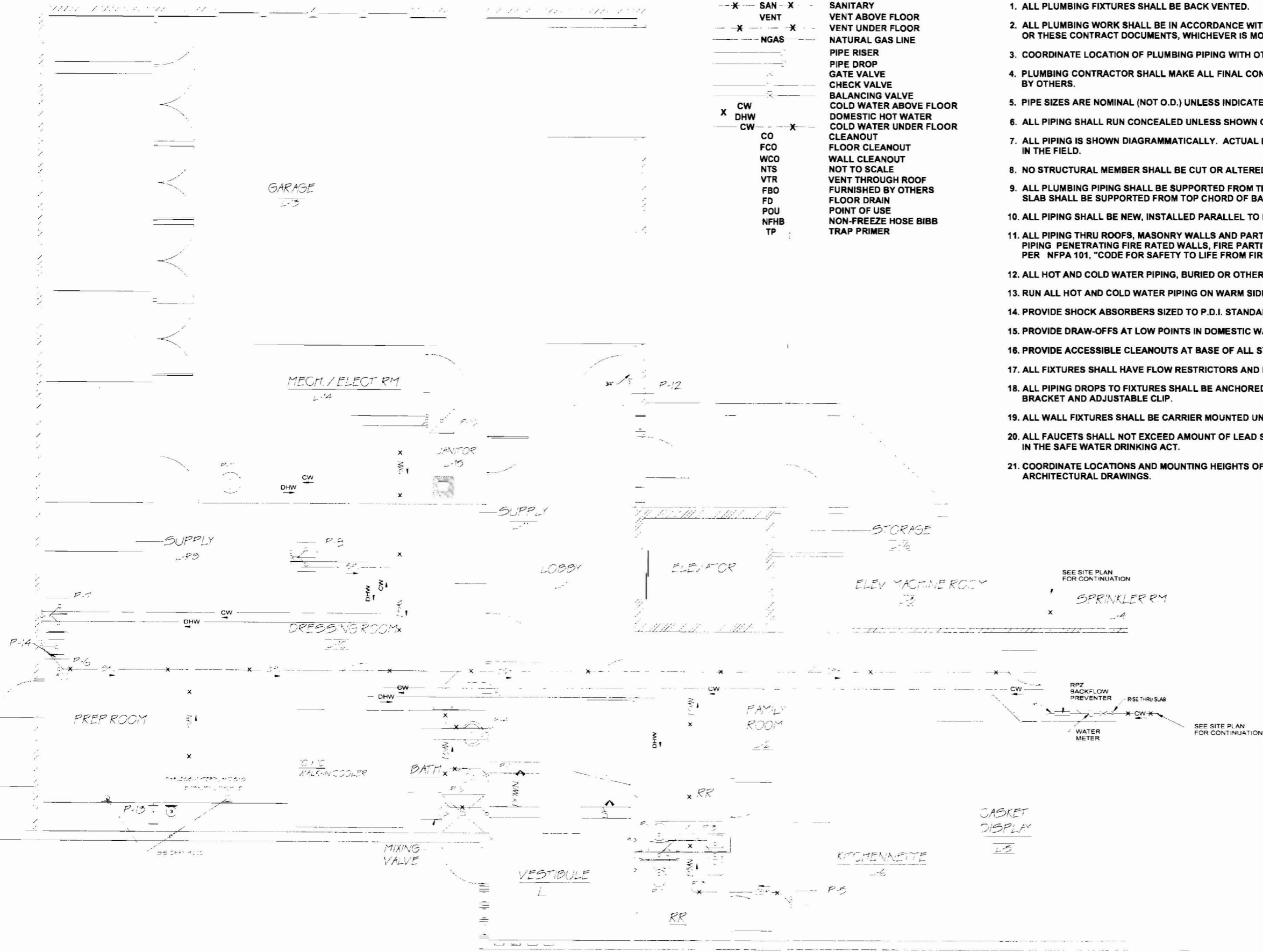
NO. OF SHEETS: 3 OF 3

PLUMBING LEGEND

-X-	SAN	-X-	SANITARY VENT
-X-	NGAS	-X-	NATURAL GAS LINE
---		---	PIPE RISER
---		---	PIPE DROP
---		---	GATE VALVE
---		---	CHECK VALVE
---		---	BALANCING VALVE
X	CW		COLD WATER ABOVE FLOOR
	DHW		DOMESTIC HOT WATER
	CW	X	COLD WATER UNDER FLOOR
	CO		CLEANOUT
	FCO		FLOOR CLEANOUT
	WCO		WALL CLEANOUT
	NTS		NOT TO SCALE
	VTR		VENT THROUGH ROOF
	FBO		FURNISHED BY OTHERS
	FD		FLOOR DRAIN
	POU		POINT OF USE
	NFHB		NON-FREEZE HOSE BIBB
	TP		TRAP PRIMER

PLUMBING GENERAL NOTES

1. ALL PLUMBING FIXTURES SHALL BE BACK VENTED.
2. ALL PLUMBING WORK SHALL BE IN ACCORDANCE WITH STATE OF MAINE PLUMBING RULES OR THESE CONTRACT DOCUMENTS, WHICHEVER IS MORE STRICT.
3. COORDINATE LOCATION OF PLUMBING PIPING WITH OTHER TRADES.
4. PLUMBING CONTRACTOR SHALL MAKE ALL FINAL CONNECTIONS TO PLUMBING FIXTURES PROVIDED BY OTHERS.
5. PIPE SIZES ARE NOMINAL (NOT O.D.) UNLESS INDICATED OTHERWISE.
6. ALL PIPING SHALL RUN CONCEALED UNLESS SHOWN OTHERWISE.
7. ALL PIPING IS SHOWN DIAGRAMMATICALLY. ACTUAL LOCATIONS SHALL BE DETERMINED IN THE FIELD.
8. NO STRUCTURAL MEMBER SHALL BE CUT OR ALTERED WITHOUT APPROVAL OF ARCHITECT.
9. ALL PLUMBING PIPING SHALL BE SUPPORTED FROM THE BUILDING STRUCTURE. ALL PIPING ABOVE SLAB SHALL BE SUPPORTED FROM TOP CHORD OF BAR JOISTS.
10. ALL PIPING SHALL BE NEW, INSTALLED PARALLEL TO BUILDING LINES AND PITCHED TO LOW POINTS.
11. ALL PIPING THRU ROOFS, MASONRY WALLS AND PARTITIONS SHALL HAVE PIPE SLEEVES. ALL PIPING PENETRATING FIRE RATED WALLS, FIRE PARTITIONS OR FLOORS SHALL BE CAST IRON OR COPPER PER NFPA 101, "CODE FOR SAFETY TO LIFE FROM FIRE IN BUILDINGS AND STRUCTURES", 2009 EDITION.
12. ALL HOT AND COLD WATER PIPING, BURIED OR OTHERWISE, SHALL BE INSULATED.
13. RUN ALL HOT AND COLD WATER PIPING ON WARM SIDE OF BUILDING INSULATION.
14. PROVIDE SHOCK ABSORBERS SIZED TO P.D.I. STANDARDS WHERE REQUIRED TO AVOID WATER HAMMER.
15. PROVIDE DRAW-OFFS AT LOW POINTS IN DOMESTIC WATER PIPING. PITCH PIPING TO DRAIN.
16. PROVIDE ACCESSIBLE CLEANOUTS AT BASE OF ALL STACKS AS SHOWN OR AS REQUIRED.
17. ALL FIXTURES SHALL HAVE FLOW RESTRICTORS AND BE WATER SAVING TYPES.
18. ALL PIPING DROPS TO FIXTURES SHALL BE ANCHORED SOLID TO WALLS WITH STEEL SUPPORT BRACKET AND ADJUSTABLE CLIP.
19. ALL WALL FIXTURES SHALL BE CARRIER MOUNTED UNLESS SPECIFIED OTHERWISE.
20. ALL FAUCETS SHALL NOT EXCEED AMOUNT OF LEAD SPECIFIED IN THE SAFE WATER DRINKING ACT.
21. COORDINATE LOCATIONS AND MOUNTING HEIGHTS OF ALL PLUMBING FIXTURES WITH ARCHITECTURAL DRAWINGS.



PLUMBING FLOOR PLAN LOWER LEVEL
SCALE: 1/4" = 1'-0"

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COMMISSION NO.: None Assigned
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 SHEET: P-1
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HUTCHINS FUNERAL HOME
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 PORTLAND, MAINE
 PLUMBING RENOVATION PLAN