

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

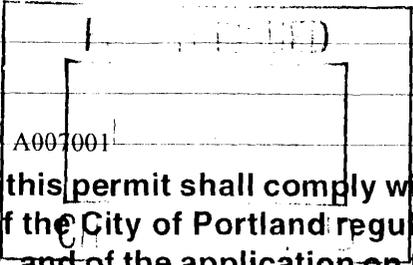
BUILDING DEPARTMENT

PERMIT

Permit Number: 081402

Please Read Application And Notes, If Any, Attached

This is to certify that WEBBER ENERGY GASOLINE /Emergency & Excavation
has permission to Demolition of Convenience Store and Gas Station
AT 132 RIVERSIDE ST CLATSOP 267 A007001



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. 2 HOUSING 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] 11/12/10
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

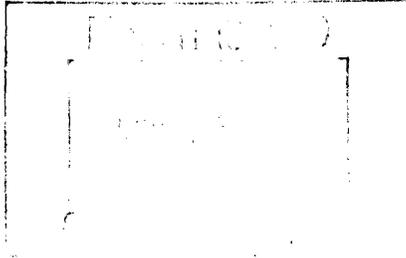
City of Portland, Maine - Building or Use Permit Application
 389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 08-1402	Issue Date:	CBL: 267 A007001
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Location of Construction: 132 RIVERSIDE ST	Owner Name: WEBBER ENERGY GASOLINE	Owner Address: 700 MAIN ST	Phone: 207-942-5505
Business Name:	Contractor Name: Emery Aggregates & Excavating, In	Contractor Address: 28 Blueberry Lane Buxton	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Demolitions - Building	Zone: B-4

Past Use: Commercial/Webber Oil Company	Proposed Use: Commercial/Webber Oil Company - Demolition of Convenience Store and Gas Station	Permit Fee: \$290.00	Cost of Work: \$26,480.00	CEO District: 3
Proposed Project Description: Demolition of Convenience Store and Gas Station		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: U Type: Demo IBC 2003 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: lmd	Date Applied For: 10/31/2008	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: 11/6/08 ABM	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: ABM
			

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.

 X **Final inspection required at completion of work.**

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.

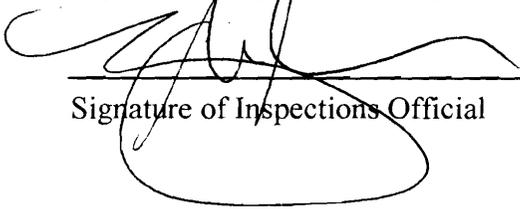
If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

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



Signature of Applicant/Designee

 11/13/08
Date



Signature of Inspections Official

 11/12/08
Date

City of Portland, Maine - Building or Use Permit

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

Permit No: 08-1402	Date Applied For: 10/31/2008	CBL: 267 A007001
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Location of Construction: 132 RIVERSIDE ST	Owner Name: WEBBER ENERGY GASOLINE	Owner Address: 700 MAIN ST	Phone: 207-942-5505
Business Name:	Contractor Name: Emery Aggregates & Excavating, In	Contractor Address: 28 Blueberry Lane Buxton	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Demolitions - Building	

Proposed Use: Commercial/Webber Oil Company - Demolition of Convenience Store and Gas Station	Proposed Project Description: Demolition of Convenience Store and Gas Station
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Dept: Zoning **Status:** Approved **Reviewer:** Ann Machado **Approval Date:** 11/06/2008

Note: Convenience store is being demolished to make way for new Burger King that is being built there. (site plan 2008-0053) **Ok to Issue:**

Dept: Building **Status:** Approved with Conditions **Reviewer:** Tammy Munson **Approval Date:** 11/10/2008

Note: **Ok to Issue:**

- 1) Demolition permits are valid for a period of 30 days from the date of issuance. A written request must be submitted and granted for an extension to this time period.
- 2) Demolition permit only. No other construction activities allowed.

Comments:

11/3/2008-amachado: Left voicemail for Matthew Emery. Can't sign off on demolition permit for site because the planning department has not received a performance guarantee for the project or a request in writing to do work on the site.

11/4/2008-amachado: Spoke to Ray Cota from Webber Energy. I told him that he needed to talk to Alex Jaegerman to get permission to demo because there is not a performance guarantee for the new building.

11/6/2008-amachado: Received letter of permission from Alex Jaegerman to demo the site.

11/6/2008-amachado: Gave permit to front staff to schedule predemolition inspection.



Demolition of a Structure 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>132 Riverside Street, Portland, Maine</u>		
Total Square Footage of Proposed Structure <u>2479</u>	Square Footage of Lot: <u>49.300</u>	
Tax Assessor's Chart, Block & Lot: Chart# Map Block# Lot# <u>267</u> <u>7</u>	Owner: <u>Webber Energy Fuels</u> <u>700 Main Street</u> <u>Bangor, Maine 04407</u>	Telephone: <u>942-5505</u>
Lessee/Buyer's Name (If Applicable) <u>MASTORON Corp</u> <u>822 Lexington St. 2nd floor</u> <u>Waltham, MA</u> <u>02452-4848</u>	Applicant name, address & telephone: <u>EMERY AGGREGATES + EXC INC</u> <u>28 Blueberry Lane</u> <u>Buxton, Maine 04093</u>	Cost Of Work: \$ <u>21,400.00</u> Fee: \$ _____
Current legal use: (i.e. garage, warehouse) <u>CONVENIENCE STORE GAS STATION</u> If vacant, what was the previous use? <u>N/A</u> How long has it been vacant? <u>N/A</u> Project description: <u>OCT 31</u>		
Contractor's name, address & telephone: <u>EMERY AGGREGATES + EXCAVATION, INC</u> <u>28 Blueberry Lane Buxton ME</u>		
Who should we contact when the permit is ready: <u>MATTHEW EMERY</u> Mailing address: <u>28 Blueberry Lane</u> Telephone: <u>207-468-7068 (cell)</u> <u>207-727-3009</u>		

Please submit all of the information outlined in the Demolition call list. 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 of applicant: <u>Matthew Emery</u>	Date: <u>10/30/08</u>
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This is not a permit; you may not commence ANY work until the permit is issued.



Striving to Build a Better City. Building a Community for the Future.

Planning & Urban Development Department

Penny St. Louis Littell, Director

Planning Division

Alexander Jaegerman, Director

November 6, 2008

Mr. Raymond Cota
Webber Oil Company
700 Main Street
P.O. Box 929
Bangor, Maine 04402-0929

RE: Burger King, 132 Riverside Street
Application ID #: 2008-0053
CBI#: 267 A007001

Dear Mr. Cota:

Thank you for your letter, dated November 5, 2008, requesting permission for the release of a demolition permit by the City's Inspection Division prior to posting of a Performance Guarantee for the proposed Burger King Restaurant at 132 Riverside Street. Section 14-528(b) of the City Code states the following:

14-528. Enforcement.

(b) No alterations shall be made to a site with a pending or approved site plan application until:

- (1) The performance guarantee has been posted and final site plans have been submitted to the planning authority; or*
- (2) Written permission has been received from the director of planning and urban development or his designee. Such permission shall be granted only after submission of a written request setting forth the work proposed to be done on the site. All such work shall be done in compliance with information provided with the site plan application including, but not limited to, an erosion control plan. Such written permission shall not be required when the only work proposed is the digging of test pits.*

Based on your description of the proposed demolition work, the Planning Authority has granted permission, in accordance with provision (2), above for the release of a demolition permit, with the following conditions:

1. All demolition work shall be done in compliance with information provided on the approved site plan, dated September 23, 2008 and submitted by Gorrill- Palmer Consulting Engineers.
2. All erosion control mechanisms, as proposed in the approved site plan, shall be installed prior to demolition.
3. Sewer discontinuance and capping shall be coordinated with the Department of Public Services. Please contact either Todd Merkle, at (207) 874-8333 or John Emerson at (207) 874-8468 prior to commencing this work.

If there are any questions, please contact the Planning Staff.

Sincerely,



Alexander Jaegerman, Planning Division Director

cc: Inspections Division
Danielle West-Chuta, Associate Corporation Counsel
Barbara Barhydt, Development Review Services Manager
Marge Schmuckal, Zoning Administrator
Phil DiPierro, Development Review Coordinator
John Emerson, Public Services
Todd Merkle, Public Services



Demolition Call List & Requirements

Site Address: 132 Riverside Street

Owner: Webber Energy

Structure Type: Gas Station

Contractor: Emercy Aggregates & Exc Inc

Utility Approvals	Number	Contact Name/Date
Central Maine Power	1-800-750-4000	<u>Jen Feaham 10/17 2:30 p.m.</u>
Northern Utilities	797-8002 ext 6241	<u>MAEK Allen 10/20</u>
Portland Water District	761-8310	<u>Donna Barnes 10/17 2:45 p.m.</u>
Dig Safe	1-888-344-7233	<u>2008-420-8401</u>

After calling Dig Safe, you must wait 72 business hours before digging can begin.

DPW/ Traffic Division (L. Cote)	874-8891	<u>Lucie Cote 10/20</u>
DPW/ Sealed Drain Permit (C. Merritt)	874-8822	<u>Caroll Merritt 10/17</u>
Historic Preservation	874-8726	<u>Debbie Andrews 10/27</u>
Fire Dispatcher	874-8576	<u>Brad Williams 10/27 7:35 A.M</u>
DEP - Environmental (Augusta)	287-2651	<u>Sandy Moody 10/27 10:05 AM</u>

Additional Requirements

- 1) Written notice to adjoining owners
- 2) A photo of the structure(s) to be demolished
- 3) A plot plan or site plan of the property
- 4) Certification from an asbestos abatement company

All construction and demolition debris generated in Portland must be delivered to Riverside Recycling Facility at 910 Riverside Street. Source separated salvage materials placed in specifically designated containers are exempt from this provision. For more information contact Troy Moon @ 874-8467.

U.S. EPA Region 1 - No Phone call required. Just mail copy of State notification to:

Demo / Reno Clerk
US EPA Region I (SEA)
JFK Federal Building
Boston, MA 02203

I have contacted all of the necessary companies/departments as indicated above and attached all required documentation.

Signed: Matthew P. Emery

Date: 10/31/08

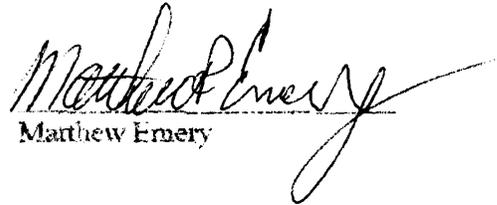
For more information or to download this form and other permit applications visit the Inspections Division on our website at www.portlandmaine.gov

Emery Aggregates & Excavation, Inc.
28 Blueberry Lane
Buxton, Maine 04093
Phone (207) 727-3009
Fax (207) 727-3003

October 27, 2008

To Whom It May Concern:

We propose to tear down the Convenience Store/Gas Station located at 137 Riverside Road Portland Maine, owned by Webber Energy 700 Main Street Bangor, Maine. To make way for new construction. We are writing this letter to all adjoining owners to meet requirement for the city of Portland Demolition Permit.


Matthew Emery

cc:
Raymond Cota
City of Portland
Central Maine Power
Marco Fard



ASBESTOS BUILDING DEMOLITION NOTIFICATION

MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION
Lead & Asbestos Hazard Prevention Program
17 State House Station, Augusta, Maine 04333



Maine law requires the filing of the ASBESTOS BUILDING DEMOLITION NOTIFICATION with the Department prior to demolition of any building except a single-family home.

Building owners are required to provide this notification of the demolition of a building to the DEP at least 5 working days prior to the demolition. This notification is not required before the demolition of a single-family residence or related structure (e.g., garage, shed, barn). It is also not required if previous notification of the demolition has been provided to the DEP as part of an asbestos abatement project notification. *Demolition* means the tearing down or intentional burning of a building or part of a building.

Prior to demolition, building owners must determine if there is any asbestos-containing material(s) (ACM) in the building. An "asbestos inspection" by a DEP-licensed Asbestos Consultant is required for all buildings except single-family homes and residential buildings with 2-4 units built after 1980. In lieu of an asbestos inspection, pre-1981 residential buildings with 2-4 units can be surveyed to identify possible ACM by someone knowledgeable about ACM, such as a code enforcement officer or building inspector. If materials that may contain asbestos are found, then you can either assume they are ACM or hire a DEP-licensed Asbestos Consultant to test the materials.

Whenever more than 3 square feet or 3 linear feet of ACM is identified, the ACM must be abated in accordance with the Maine Asbestos Management Regulations by a DEP-licensed Asbestos Abatement Contractor. This includes materials presumed to be ACM. Check www.maine.gov for a listing of asbestos contractors.

Prior to issuing a local demolition permit, the DEP requests that municipalities have applicants for municipal demolition permits complete this form and fax it to the DEP at 207-287-7826. Municipalities should not issue local demolition permits if the required asbestos inspection or survey has not been performed and identified ACM removed.

Were regulated asbestos-containing building materials found? yes no

property address: 132 Riverside St Canaan, ME	building description: <input type="checkbox"/> pre-1981 residential with 2-4 units <input type="checkbox"/> post-1980 residential with 2-4 units <input type="checkbox"/> other.
asbestos survey/inspection performed by: (name & address) Environmental Management Inc PO Box 391 E. Canaan ME 04407 telephone: 207-729-7549	asbestos abatement contractor N/A telephone:
property owner: (name & address) Webber Energy Fuels 100 Main St Bangor ME 04407 telephone: 942-5505	demolition contractor: (name & address) Emery Aggregate & Excavation Inc 28 Blueberry Ln Buxton ME 05003 telephone:
demolition start date: 11/5/08	demolition end date: 11/14/08

This demolition notification does not take the place of the Asbestos Project Notification if applicable

I CERTIFY THAT THE ABOVE INFORMATION IS CORRECT

M. Andrew Emery	VP	<i>M. Andrew Emery</i>
Print Name: Owner/Agent	Title	Signature
cell 408 2068	727 7003	10/27/08
Telephone #	FAX #	Date

ENVIRONMENTAL MANAGEMENT, INC.

P.O. BOX 391 BRUNSWICK, MAINE 04011

(207) 729-7549
FAX (207) 721-0892

October 27, 2008

EMI 08-8531

Matt Emery
Emery Bros.
28 Blueberry Lane
Huxton, Maine

RE: Asbestos Survey - Former Exxon Station-Portland, Maine

Matt,

On October 20, 2008 Environmental Management Inc. conducted survey for the presence of asbestos containing building materials (ACBM) at the former Exxon Station located on Riverside Street in Portland, Maine. The survey was conducted to identify any asbestos materials that may exist within the building and coincided with the planned demolition of the building.

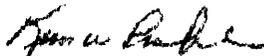
Homogeneous areas of suspect materials were collected from the interior of the building and exterior of the building. Samples were analyzed for asbestos type and approximate percentages by Optical Microscopy at 100 X magnification utilizing Polarized Light (PLM) EPA method 600.

Materials sampled included vinyl floor tiles, ceiling tiles, wallboard and insulation on the interior. On the exterior, roof shingles were sampled. A review of the analytical results indicates that all samples collected tested *negative* for asbestos.

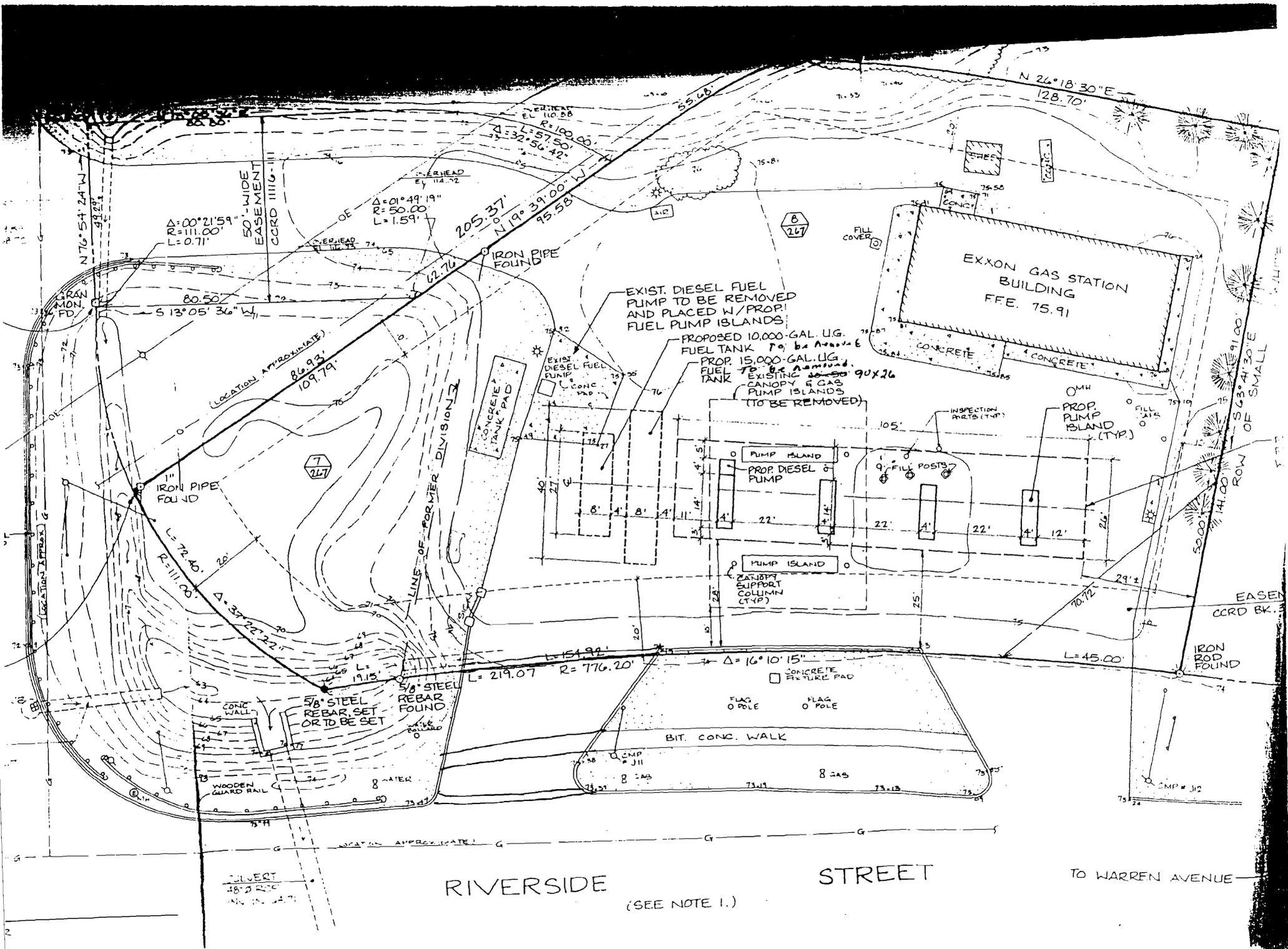
The analytical results are included in this report for your reference. Current federal regulations stipulate that any material found to have less than 1% asbestos (trace) is considered to be non-asbestos material.

If you have any question regarding this report, please feel free to contact us at (207) 729-7549.

Sincerely,



Kim W. Pinkham
Environmental Management
Asbestos Inspector (MDEP #0324)



RIVERSIDE

STREET

TO WARREN AVENUE

(SEE NOTE 1.)

CONVERT
18.5 210
N 12.4 4.7