

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

BUILDING DEPARTMENT

Please Read Application And Notes, If Any, Attached

PERMIT

Permit Number: 050990

PERMIT ISSUED
NOV 28 2005
CITY OF PORTLAND

This is to certify that KIMCO REALTY LLC / Thompson Building Services Inc

has permission to Build a new Dunkin Donuts

AT 599 WARREN AVE

314 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 when permission is procured before this building or part thereof is laid or closed-in. **48 HOUR NOTICE IS REQUIRED.**

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

OTHER REQUIRED APPROVALS
Fire Dept. Greg Cassa FFD 9/1/05
Health Dept. _____
Appeal Board _____
Other _____
DepartmentName

[Signature]
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

City of Portland, Maine - Building or Use Permit Application

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

PERMIT ISSUED

Permit No: 05-0990	Issue Date: NOV 28 2005	CBL: 314 A007001
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Location of Construction: 599 WARREN AVE	Owner Name: KIMCO REALTY LLC	Owner Address: 65 GRAY RD BOX 4 CITY OF PORTLAND	Phone:
Business Name:	Contractor Name: Thompson Building Services Inc	Contractor Address: 497 Northern Ave. Farming Dale	Phone: 2075826100
Lessee/Buyer's Name	Phone:	Permit Type: Commercial	Zone: B-4

Past Use: vacant Land	Proposed Use: Commercial / Dunkin Donuts	Permit Fee: \$4,821.00	Cost of Work: \$525,000.00	(CEO District): 5
		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied TO NFPA 101	INSPECTION: Use Group: A2 Type: 56 11/22/05 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: Idobson	Date Applied For: 07/20/2005	Zoning Approval
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<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building permits do not include plumbing, septic or electrical work.</p> <p>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..</p>	<p>Special Zone or Review</p> <input type="checkbox"/> Shoreland <i>N/A</i> <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <i>Panel 6 Zone X</i> <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan # 2004-0118 Maj <input checked="" type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> <i>OK</i> Date: <i>9/23/05</i>	<p>Zoning Appeal</p> <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: _____	<p>Historic Preservation</p> <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: <i>S</i>
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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 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
- Re-Bar Schedule Inspection: Prior to pouring concrete
- NA Foundation Inspection: Prior to placing ANY backfill
- 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]
Signature of Applicant/Designee

11-28/05
Date

[Signature]
Signature of Inspections Official

11/28/05
Date

CBL: 314-A-7

Building Permit #: 05-0990

City of Portland, Maine - Building or Use Permit

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

Permit No: 05-0990	Date Applied For: 07/20/2005	CBL: 314 A007001
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Location of Construction: 599 WARREN AVE	Owner Name: KIMCO REALTY LLC	Owner Address: 65 GRAY RD BOX 4	Phone:
Business Name:	Contractor Name: Thompson Building Services Inc	Contractor Address: 497 Northern Ave. Farming Dale	Phone (207) 582-6100
Lessee/Buyer's Name	Phone:	Permit Type: Commercial	

Build a new Dunkin Donuts

Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 09/23/2005**Note:** 8/9/05 requested from Kandi the stamped approved site plan
9/23/05 recieved the stamped approved site plan from Kandi**Ok to Issue:**

- 1) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
- 2) Separate permits shall be required for any new signage.

Dept: Building **Status:** Approved **Reviewer:** Mike Nugent **Approval Date:** 11/22/2005**Note:****Ok to Issue:** **Dept:** Fire **Status:** Approved with Conditions **Reviewer:** Cptn Greg Cass **Approval Date:** 09/26/2005**Note:****Ok to Issue:**

- 1) All building construction to comply with NFPA 101

Dept: Fire **Status:** Approved **Reviewer:** Lt. MacDougal **Approval Date:** 06/16/2004**Note:****Ok to Issue:** **Dept:** DRC **Status:** Approved with Conditions **Reviewer:** Chris Earle/Steve Bush **Approval Date:** 03/22/2005**Note:****Ok to Issue:**

- 1) see planning conditions

Dept: Planning **Status:** Approved with Conditions **Reviewer:** Kandi Talbot **Approval Date:** 03/22/2005**Note:****Ok to Issue:**

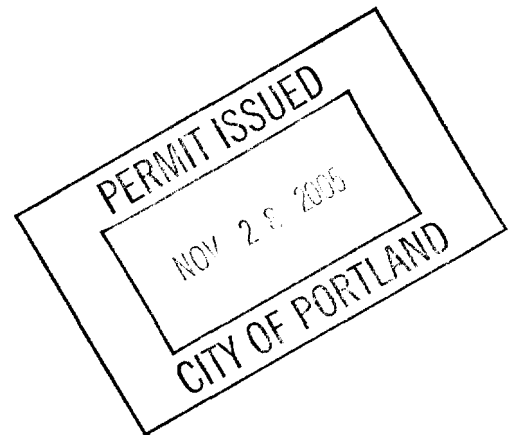
- 1) ii. That the City Arborist review and approve the landscaping plan prior to issuance of a building permit.
- 2) iv. That a revised site plan for the Wendy's property shall be submitted to staff for review and approval prior to issuance of a building permit.
- 3) v. That the site plans be revised to reflect the crosswalks and caution sign, subject to the review and approval of the Traffic Engineer.
- 4) vi. No building permit shall be issued until the applicant receives the required wetlands permit from DEP.
- 5) vii. That the Traffic Engineer review and approve the plans based on his March 14, 2005 memo and that the applicant contribute \$30,000 prior to issuance of a building permit as stated in condition 1.
- 6) viii. That the Traffic Engineer review the safety of the intersection regarding the fatal accident and any other records that the City may have on accidents at this location. Based on this analysis, the Traffic Engineer shall determine if the intersection is safe at this time.

Location of Construction: 599 WARREN AVE	Owner Name: KIMCO REALTY LLC	Owner Address: 65 GRAY RD BOX 4	Phone:
Business Name:	Contractor Name: Thompson Building Services Inc	Contractor Address: 497 Northern Ave. Farming Dale	Phone (207) 582-6100
Lessee/Buyer's Name	Phone:	Permit Type: Commercial	

Comments:

10/4/2005-mjn: Need Geotech..seismic and structural info.....Designer & project manager notified.

10/14/2005-mjn: Met w/ builder, received Geotech report. Advised builder to provide job specific plans and a statement of special inspections





STATE OF MAINE
 17 State House Station
 Augusta, ME 04333

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IN THE MATTER OF

KIMCO REALTY LLC
 Portland, Cumberland County
 DUNKIN DONUTS
 L-22274-TB-A-N (approval)

) NATURAL RESOURCES PROTECTION ACT
) FRESHWATER WETLAND ALTERATION
) WATER QUALITY CERTIFICATION
) FINDINGS OF FACT AND ORDER

Project Description: The applicant proposes to alter 5,390 square feet of scrub-shrub wetland to support development of a donut shop to be constructed at 597 Warren Avenue in the City of Portland. The project site is a 1.37 acre parcel consisting of an undeveloped grassed field with wetland areas along the northern property line. The project site abuts an existing Wendy's restaurant to the west. Construction of the existing stormwater detention serving the Wendy's restaurant impacted 3,745 square feet of wetland. The applicant proposes to enlarge this detention basin to provide detention storage for stormwater generated by both the existing restaurant and the proposed donut shop. Cumulative wetland impacts for the sites will total 9,135 square feet. The project is shown on a set of plans entitled, "Dunkin' Donuts - Warren Avenue", drawn by Sebago Technics, dated July 14, 2004 as last revised March 4, 2005.

Permit for:	<input checked="" type="checkbox"/> Tier 1
DEP Decision:	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied (see attached letter)
CORPS Action:	<input checked="" type="checkbox"/> The Corps has been notified of your application. The following are subject to Federal screening: (1) projects with previously authorized or unauthorized work, in combination with a Tier 1 permit for a single and complete project, which total more than 15,000 square feet of altered area; (2) projects with multiple state permits and/or state exemptions which apply to a single and complete project that total more than 15,000 square feet of altered area; and (3) projects that may impact a vernal pool, as determined by the State of Maine or the Corps. If your activity is listed above, Corps approval is required for your project. For information regarding the status of your application contact the Corps' Maine Project Office at 623-8367.

Standard Conditions:

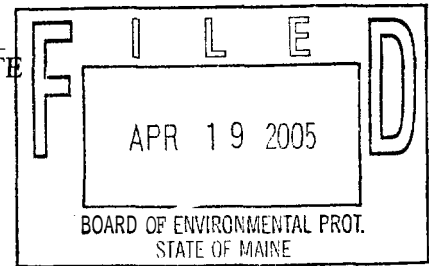
- 1) If construction or operation of the activity is not begun within two (2) years from the date signed, this permit shall lapse and the applicant shall reapply to the Department for a new permit. This permit is transferable only with prior approval from the Department. If the activity is associated with a larger project, starting any aspect of that project constitutes start of construction.
- 2) The project shall be completed according to the plans in the application. Any change in the project plans must be reviewed and approved by the Department.
- 3) Properly installed erosion control measures shall be installed prior to beginning the project, and all disturbed soil should be stabilized immediately upon project completion.
- 4) A copy of this approval will be sent to the City of Portland. Department approval of your activity does not supersede or substitute the need for **any** necessary local approvals.

Please note the attached sheet for guidance on appeal procedures.

THIS APPROVAL DOES NOT CONSTITUTE OR SUBSTITUTE FOR ANY OTHER REQUIRED STATE, FEDERAL OR LOCAL APPROVALS NOR DOES IT VERIFY COMPLIANCE WITH ANY APPLICABLE SHORELAND ZONING ORDINANCES.


 DAWN R. GALLAGHER, COMMISSIONER

4/15/05 DATE



Date of initial application March 14, 2005
 Date application accepted for processing March 28, 2005
 Date filed with Board of Environmental Protection
 WB/ATS#/54429/L222274AN

**NATURAL RESOURCE PROTECTION ACT (NRPA)
STANDARD CONDITIONS**

THE FOLLOWING STANDARD CONDITIONS SHALL APPLY TO ALL PERMITS GRANTED UNDER THE NATURAL RESOURCE PROTECTION ACT, TITLE 38, M.R.S.A. SECTION 480-A ET.SEQ. UNLESS OTHERWISE SPECIFICALLY STATED IN THE PERMIT.

- A. **Approval of Variations From Plans.** The granting of this permit is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation.
- B. **Compliance With All Applicable Laws.** The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- C. **Erosion Control.** The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site during the construction and operation of the project covered by this Approval.
- D. **Compliance With Conditions.** Should the project be found, at any time, not to be in compliance with any of the Conditions of this Approval, or should the applicant construct or operate this development in any way other than specified in the Application or Supporting Documents, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to have been violated.
- E. **Initiation of Activity Within Two Years.** If construction or operation of the activity is not begun within two years, this permit shall lapse and the applicant shall reapply to the Board for a new permit. The applicant may not begin construction or operation of the activity until a new permit is granted. Reapplications for permits shall state the reasons why the applicant will be able to begin the activity within two years from the granting of a new permit, if so granted. Reapplications for permits may include information submitted in the initial application by reference.
- F. **Reexamination After Five Years.** If the approved activity is not completed within five years from the date of the granting of a permit, the Board may reexamine its permit approval and impose additional terms or conditions to respond to significant changes in circumstances which may have occurred during the five-year period.
- G. **No Construction Equipment Below High Water.** No construction equipment used in the undertaking of an approved activity is allowed below the mean high water line unless otherwise specified by this permit.
- H. **Permit Included In Contract Bids.** A copy of this permit must be included in or attached to all contract bid specifications for the approved activity.
- I. **Permit Shown To Contractor.** Work done by a contractor pursuant to this permit shall not begin before the contractor has been shown by the applicant a copy of this permit.

Revised (4/92)

DEPLW0428



DEP INFORMATION SHEET

Appealing a Commissioner's Licensing Decision

Dated: May 2004

Contact: (207) 287-2811

SUMMARY

There are two methods available to an aggrieved person seeking to appeal a licensing decision made by the Department of Environmental Protection's (DEP) Commissioner: (1) in an administrative process before the Board of Environmental Protection (Board); or (2) in a judicial process before Maine's Superior Court. This INFORMATION SHEET, in conjunction with consulting statutory and regulatory provisions referred to herein, can help aggrieved persons with understanding their rights and obligations in filing an administrative or judicial appeal.

I. ADMINISTRATIVE APPEALS TO THE BOARD

LEGAL REFERENCES

DEP's *General Laws*, 38 M.R.S.A. § 341-D(4), and its *Rules Concerning the Processing of Applications and Other Administrative Matters* (Chapter 2), 06-096 CMR 2.24 (April 1, 2003).

HOW LONG YOU HAVE TO SUBMIT AN APPEAL TO THE BOARD

The Board must receive a written notice of appeal within 30 calendar days of the date on which the Commissioner's decision was filed with the Board. Appeals filed after 30 calendar days will be rejected.

HOW TO SUBMIT AN APPEAL TO THE BOARD

Signed original appeal documents must be sent to: Chair, Board of Environmental Protection, c/o Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017; faxes are acceptable for purposes of meeting the deadline when followed by receipt of mailed original documents within five (5) working days. Receipt on a particular day must be by 5:00 PM at DEP's offices in Augusta; materials received after 5:00 PM are not considered received until the following day. The person appealing a licensing decision must also send the DEP's Commissioner and the applicant a copy of the documents. All the information listed in the next section must be submitted at the time the appeal is filed. Only the extraordinary circumstances described at the end of that section will justify evidence not in the DEP's record at the time of decision being added to the record for consideration by the Board as part of an appeal.

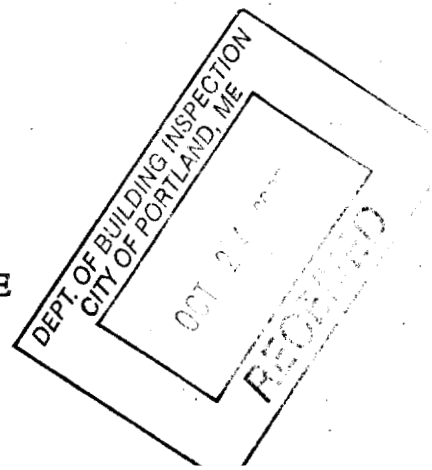
WHAT YOUR APPEAL PAPERWORK MUST CONTAIN

The materials constituting an appeal must contain the following information at the time submitted:

1. *Aggrieved Status.* Standing to maintain an appeal requires the appellant to show they are particularly injured by the Commissioner's decision.
2. *The findings, conclusions or conditions objected to or believed to be in error.* Specific references and facts regarding the appellant's issues with the decision must be provided in the notice of appeal.
3. *The basis of the objections or challenge.* If possible, specific regulations, statutes or other facts should be referenced. This may include citing omissions of relevant requirements, and errors believed to have been made in interpretations, conclusions, and relevant requirements.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license or permit to changes in specific permit conditions.



CITY OF PORTLAND
BUILDING CODE CERTIFICATE
389 Congress St., Room 315
Portland, Maine 04 101



TO: Inspector of Buildings City of Portland, Maine
Department of Planning & Urban Development
Division of Housing & Community Service

FROM: Aaron C. Jones, P.E.

RE: Certificate of Design

DATE: 10/21/05

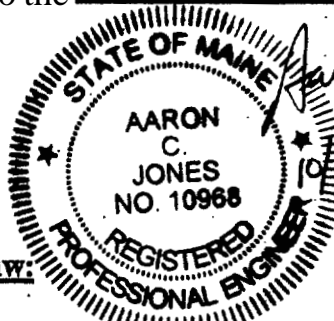
These plans and/ or specifications covering construction work on:

Dunkin Donuts on Warren Ave in Portland, ME

(Note: Structure only)

Have been designed and drawn up by the undersigned, a Maine registered ~~Engineer~~
Engir eer according to the 2003 International Building Code and local amendments.

(SEAL)



Signature: Aaron C. Jones

Title: Principal

Firm: Structural Integrity

Address: 180 Beacon St
Portland, Maine

As per Maine State Law:

\$50,000.00 or more in new construction, repair expansion, addition, or modification for Building or Structures, shall be prepared by a registered design Professional.

FROM DESIGNER: Aaron C Jones / STRUCTURAL INTEGRITY

DATE: 10/21/05

Job Name: Warren Ave Dunkin Donuts

Address of Construction: Warren Ave Portland, ME

2003 International Building Code

Construction project was designed according to the building code criteria listed below:

Building Code and Year 2003 IBC Use Group Classification(s) II Standard

Type of Construction light gauge wood

Will the Structure have a Fire suppression system in Accordance with Section 903.3.1 of the 2003 IRC _____

Is the Structure mixed use? _____ if yes, separated or non separated (see Section 302.3) _____

Supervisory alarm system? _____ Geotechnical/Soils report required? (See Section 1802.2) _____

STRUCTURAL DESIGN CALCULATIONS

_____ Submitted for all structural members (108.1, 108.1.1)

DESIGN LOADS ON CONSTRUCTION DOCUMENTS (1803)

Uniformly distributed floor live loads (7603.11, 1807)

Floor Area Use	Loads Shown
<u>Storage</u>	<u>125 psf</u>
<u>Commercial</u>	<u>100 psf</u>
_____	_____
_____	_____
_____	_____

Wind loads (1803.1.4, 1809)

_____ Design option utilized (1809.1.1, 1809.5)

90 Basic wind speed (1809.3)

1.0 Building category and wind importance factor, I_w (Table 1804.5, 1809.5)

C Wind exposure category (1809.4)

_____ Internal pressure coefficient (ASCE 7)

17 psf Component and cladding pressures (1809.1.1, 1809.6.2.2)

18 psf Main force wind pressures (7603.1.1, 1809.6.2.1)

Earthquake design data (1803.1.5, 1814-1823)

_____ Design option utilized (1814.1)

Standard Seismic use group ("Category") (Table 1804.5, 1816.2)

S_g + .23g Spectral response coefficients, S_{DS} & S_{D1} (1815.1)

Site class (1815.1.5)

No Live load reduction (1803.1.1, 1807.9, 1807.10)

20 psf Roof live loads (1803.1.2, 1807.11)

_____ Roof snow loads (7603.7.3, 1808)

50

Ground snow load, P_g (1808.2)

31.5

If $P_g > 10$ psf, flat-roof snow load, P_f (1808.3)

1.0

If $P_g > 10$ psf, snow exposure factor, C_e (Table 1808.3.1)

1.0

If $P_g > 10$ psf, snow load importance factor, I_s (Table 1804.5)

1.0

Roof thermal factor, C_t (Table 1808.3.2)

31.5

Sloped roof snowload, P_s (1808.4)

D

Seismic design category (1818.3)

K

Basic seismic-force-resisting system (Table 1817.8.2)

6 1/2

Response modification coefficient, R , and deflection amplification factor, C_d (Table 1817.8.2)

Simplified

Analysis procedure (1818.5, 1817.5)

6.39K

Design base shear (1817.4, 1817.5.1)

Flood loads (1803.1.6, 1812)

_____ Floodhazard area (1812.3)

_____ Elevation of structure

Other loads

_____ Concentrated loads (1807.4)

_____ Partition loads (1807.5)

_____ Impact loads (1807.8)

_____ Misc. loads (Table 1807.6, 1807.6.1, 1807.7, 1807.12, 1807.18, 1810, 1811, 2404)

CHECK LIST FOR COMMERCIAL PROJECTS

All of the following information is required. Failure to provide this information at first will delay the permitting process until it is complete.

- 1 Copy of Deed if current owner has owned the property less than 365 days
- 2 Copies of floor plan, indicating dimensions of each area and specific uses (office, warehouse, storage, retail, etc.)
- 1 Copy of the Plot Plan to scale
- 2 copies of the Corridor Detachment
- If any of your drawings are larger than 11" x 17" we will need them on paper no larger than 11" x 17" for all drawings. We cannot accept drawings with cutouts. Electrical plans may be submitted in place of the 11" x 17" copies and must be in the PDF format,

A COMPLETE SET OF CONSTRUCTION DRAWINGS INCLUDES THE FOLLOWING:

PLEASE NOTE Construction Documents for Cost of Work in excess of \$50,000.00 must be prepared by a Design Professional and bear their seal.

- Cross sections w/framing details
- Detail of any new walls or permanent partitions
- Floor Plans & Elevations
- Window and door schedules
- Foundation plans with required drainage and damp proofing (if applicable)
- Complete Electrical and plumbing layout. Mechanical drawings for any specialized equipment such as furnaces, chimneys, gas equipment, HVAC equipment (air handling) or other types of work that may require special review must be included.

SEPARATE PERMITS ARE REQUIRED FOR INTERNAL & EXTERNAL PLUMBING, HVAC, AND ELECTRICAL INSTALLATIONS

If there are any additions to the footprint or volume of the structure or new structures:

✓ PLOT PLAN IS REQUIRED THAT INCLUDES THE FOLLOWING:

- The shape and dimension of the lot, footprint of the proposed structure and the distance from the actual property lines. Structures include decks porches; a bow windows cantilever sections and roof overhangs, sheds, pools, garages and any other accessory structures must be shown and to scale. **A photocopy of the plat with hand drawn footprints of buildings if it is not to scale, it will not be accepted**
- Boundary survey to scale showing North arrow; zoning district & setbacks
- First floor sill elevation (based on mean sea level datum);
- Location and dimensions of parking areas and driveways;
- Location and size of both existing utilities in the street and the proposed utilities serving the building;
- Location of areas on the site that will be used to dispose of surface water.
- Existing and proposed grade contours
- Silt fence locations
- THE SURVEYORS MONUMENTS MUST BE IN PLACE AND THE LOT STAKED FOR A SETBACK INSPECTION PRIOR TO ISSUANCE OF A BUILDING PERMIT

From: Marge Schmuckal
To: Kandi Talbot
Date: Tue, Aug 9, 2005 2:56 PM
Subject: Warren Ave Dunkin Donuts

Kandi,
Can I get a stamped approved site plan for Dunkin Donuts on Warren Ave? They have submitted a building permit.
Thanks,
Marge

received
9/23/05

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
Planning Copy**

2004-0118
Application I. D. Number
06/15/2004
Application Date
Dunkin Donuts
Project Name/Description

Kimco Realty, LLC
Applicant
65 Gray Street, Falmouth, ME 04105
Applicant's Mailing Address

Consultant/Agent
Applicant Ph: **(207) 797-7600** Applicant Fax: **(207) 797-4300**
Applicant or Agent Daytime Telephone, Fax

597 - 597 Warren Ave , Portland, Maine
Address of Proposed Site
314 A007001
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking Lot Other (specify)

2,432 s.f. Proposed Building square Feet or # of Units Acreage of Site B4 Zoning

Check Review Required:

Site Plan (major/minor) Subdivision # of lots PAD Review 14-403 Streets Review
 Flood Hazard Shoreland Historic Preservation DEP Local Certification
 Zoning Conditional Use (ZBA/PB) Zoning Variance Other

Fees Paid: Site Plan **\$1,650.00** Subdivision Engineer Review **\$3,796.00** Date

Planning Approval Status:

Reviewer Kandi Talbot

Approved Approved w/Conditions See Attached Denied

Approval Date **03/22/2005** Approval Expiration **03/22/2006** Extension to Additional Sheets Attached

OK to Issue Building Permit Kandi Talbot signature **09/23/2005** date

Performance Guarantee Required* Not Required

* No building permit may be issued until a performance guarantee has been submitted as indicated below

Performance Guarantee Accepted **09/14/2005** date **\$222,981.00** amount **08/01/2006** expiration date

Inspection Fee Paid **09/20/2005** date **\$4,400.00** amount

Building Permit Issue date

Performance Guarantee Reduced date remaining balance signature

Temporary Certificate of Occupancy date Conditions (See Attached) expiration date

Final Inspection date

Certificate Of Occupancy date

Performance Guarantee Released date

Defect Guarantee Submitted submitted date amount expiration date

Defect Guarantee Released date signature



**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
DRC Copy**

2004-0118
Application I. D. Number
06/15/2004
Application Date
Dunkin Donuts
Project Name/Description

Kimco Realty, LLC
Applicant
65 Gray Street, Falmouth, ME 04105
Applicant's Mailing Address

Consultant/Agent
Applicant Ph: **(207) 797-7600** Applicant Fax: **(207) 797-4300**
Applicant or Agent Daytime Telephone, Fax

597 - 597 Warren Ave ,Portland, Maine
Address of Proposed Site
314 A007001
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking Lot Other (specify)

2,432 s.f. **84**
Proposed Building square Feet or # of Units Acreage of Site Zoning

Check Review Required:

- Site Plan (major/minor) Subdivision # of lots PAD Review 14-403 Streets Review
 Flood Hazard Shoreland Historic Preservation DEP Local Certification
 Zoning Conditional Use (ZBA/PB) Zoning Variance Other

Fees Paid: Site Plan **\$1,650.00** Subdivision Engineer Review **\$3,796.00** Date

DRC Approval Status:

Reviewer **Chris Earle/Steve Bushey**

- Approved Approved w/Conditions See Attached Denied

Approval Date **03/22/2005** Approval Expiration **03/22/2006** Extension to Additional Sheets Attached

Condition Compliance **Kandi Talbot** **09/23/2005**
signature date

Performance Guarantee Required* Not Required

* No building permit may be issued until a performance guarantee has been submitted as indicated below

- Performance Guarantee Accepted **09/14/2005** **\$222,981.00** **08/01/2006**
date amount expiration date
 Inspection Fee Paid **09/20/2005** **\$4,400.00**
date amount
 Building Permit Issue
date
 Performance Guarantee Reduced
date remaining balance signature
 Temporary Certificate of Occupancy Conditions (See Attached)
date expiration date
 Final Inspection
date signature
 Certificate Of Occupancy
date
 Performance Guarantee Released
date signature
 Defect Guarantee Submitted
submitted date amount expiration date
 Defect Guarantee Released
date signature

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
ADDENDUM**

2004-0118
Application I. D. Number

Kimco Realty, LLC
Applicant
65 Gray Street, Falmouth, ME 04105
Applicant's Mailing Address

06/1512004
Application Date

Dunkin Donuts
Project Name/Description

Consultant/Agent
Applicant Ph: (207) 797-7600 Applicant Fax: 2077974300
Applicant or Agent Daytime Telephone, Fax

597 - 597 Warren Ave , Portland, Maine
Address of Proposed Site
314 A007001
Assessor's Reference: Chart-Block-Lot

Approval Conditions of Planning

- 1 i. That the applicant revise the plans based on the Traffic Engineer's memo dated March 14, 2005 and that the applicant contribute \$30,000 prior to issuance of a building permit to the improvements at the Riverside Street/Warren Avenue intersection. If the proposed MDOT/City improvements do not occur within 5 years from the contribution date, then the money shall be returned to the applicant.
- 2 ii. That the City Arborist review and approve the landscaping plan prior to issuance of a building permit.
- 3 iii. That a photometric plan be submitted for review and approval by staff, prior to issuance of a building permit.
- 4 iv. That a revised site plan for the Wendy's property shall be submitted to staff for review and approval prior to issuance of a building permit.
- 5 v. That the site plans be revised to reflect the crosswalks and caution sign, subject to the review and approval of the Traffic Engineer.
- 6 vi. No building permit shall be issued until the applicant receives the required wetlands permit from DEP.
- 7 vii. That the Traffic Engineer review and approve the plans based on his March 14, 2005 memo and that the applicant contribute \$30,000 prior to issuance of a building permit as stated in condition 1.
- 8 viii. That the Traffic Engineer review the safety of the intersection regarding the fatal accident and any other records that the City may have on accidents at this location. Based on this analysis, the Traffic Engineer shall determine if the intersection is safe at this time.

Approval Conditions of DRC

- 1 see planning conditions

Applicant: New Dunkin Donuts Date: 3/16/05 ✓ 9/23/05
 Address: 597 Warren Ave C-B-L: 314-A-007

CHECK-LIST AGAINST ZONING ORDINANCE

Date - New Development # 05-0990

Zone Location - B-4 Zone

Interior or corner lot -

Proposed Use/Work - to build New Dunkin Donuts

Sewage Disposal - City

Lot Street Frontage - 60' min - 90' scaled

Front Yard - 20' min - ~~5ft~~ 4' scaled

Rear Yard - 20' min - 138' scaled

Side Yard - 10' min - 25' ; 68' scaled

Projections - Drive thru on left - rear cooling

Width of Lot - 60' min - 128' at least width

Height - 65' MAX - 25' given

Lot Area - 10,000[#] - 59,242[#] given

Lot Coverage / Impervious Surface 80% - $91,295.93^{\#}$ impervious = 49.9%
 or 50%

Area per Family - N/A

Off-street Parking - 1 pk space for each 150[#] of floor area not including food prep

$30 \times 58 = 1740 - 150 = 11.6$ or 12 pts

30 Spaces shown
 req OK

Loading Bays - N/A

Site Plan - # 2004-0118

$1.5 \times 4.5 = 6.75$
 $3 \times 11.5 = 34.50$
 $30 \times 58 = 1740$
 $7 \times 24 = 168$
 1949.25[#]

Shoreland Zoning/ Stream Protection - N/A

Flood Plains - Panel 6 - Zone X

Maximum Floor Area Ratio

$\frac{1949.25}{59242} = 0.033$

Abutting residential zone = R-3 or 0.65 MAX

→ sign is off premises and just over the allowable 65[#]
 → and only allowed 2 Bldg signs, showing 3

07/12/2005 11:29 FAX 207 791 1350

PIERCE ATWOOD

001/009

**PIERCE
ATWOOD**
—LLP—
ATTORNEYS AT LAW

FAX COVER SHEET

To: Bruce Thompson
Entity: Bruce Thompson Building Services
Fax Number: 582-5900
Voice Number: 582-6100
From: Eben Adams
Date and Time: July 12, 2005 10:52 AM
Total Pages: 9

Message: RE: Kimco Realty, LLC, Warren Avenue, Portland, ME

Attached is a copy of the Quitclaim Deed to Kimco Realty, LLC for the above property.

Eben Adams
207-791-1175
eadams@picrccatwood.com

07-12-05A11:29 RCV

Any message on this fax cover sheet, and any accompanying materials, may contain confidential, secret or privileged information. The disclosure, copying, or further dissemination of which is strictly prohibited under applicable law. Therefore, if this fax cover sheet is not addressed to you or if this fax cover sheet is addressed to you, but the accompanying materials do not appear to be intended for you, please do *not* read, copy or disseminate either any message on the fax cover sheet or the accompanying materials. Instead, please call us collect at 207.791-1279, and we will make arrangements for return of these materials at our expense.

If you are having difficulties in receiving this, please call us at 207.791-1279. Thank you.

For Pierce Atwood Office Use Only
Client-Matter Number: 8642-8244

(W0373121 1)

One Monument Square • Portland, Maine 04101 • 207.791.1100 • Fax 207.791.1350

67/12/2005 11:29 FAX 207 791 1350

PIERCE ATWOOD

002/009

Doc#: 1744 Bk:22208 Pg: 213

QUITCLAIM DEED WITH COVENANT
(Maine Statutory Short Form)

KNOW ALL BY THESE PRESENTS, that **OLDER BROTHER LLC**, a Maine limited liability company, and **YOUNGER BROTHER LLC**, a Maine limited liability company, both having a place of business in the City of Portland, County of Cumberland, and State of Maine, for consideration paid, **GRANT** to **KIMCO REALTY, LLC**, a Maine limited liability company, the mailing address of which is **65 Gray Road-hox 4, Falmouth, Maine 04105**, with **QUITCLAIM COVENANT**, certain real estate located in Portland, County of Cumberland and State of Maine, which is more particularly described in Exhibit A attached hereto and made a part hereof.

IN WITNESS WHEREOF, **Older Brother LLC** has caused this instrument to be executed by **Morris Fisher**, its **Vice President**, and **Younger Brother LLC** has caused this instrument to be executed by **Gregory W. Doulos**, its **President**, hereunto duly authorized, this 7th day of **January, 2005**.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Older Brother LLC

By: Morris Fisher
Morris Fisher
Its Vice President

Younger Brother LLC

By: Gregory W. Doulos
Gregory W. Doulos
Its President

MAINE REAL ESTATE TAX PAID

[Signature]
Witness

[Signature]
Witness

07/12/2005 11:29 FAX 207 791 1350

PIERCE ATWOOD

003/009

Doc# : 1744 Bk:22208 Pg: 214

STATE OF MAINE

County of Cumberland, SS.

January 7, 2005

Then personally appeared the above-named Morris Fisher, Vice President of Older Brother 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 Older Brother LLC.

Before me,

~~Notary Public/Main: Attorney-at-Law~~Printed Name: PAUL D. PIETROPAOLI

STATE OF MAINE

County of Cumberland, SS.

January 7, 2005

Then personally appeared the above-named Gregory W. Boulos, President of Younger Brother 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 Younger Brother LLC.

Before me,

~~Notary Public/Main: Attorney-at-Law~~Printed Name: PAUL D. PIETROPAOLI

07/12/2005 11 29 FAX 207 791 1350

PIERCE ATW000

004/008

Doc# 1744 Bk:22208 Ps: 215

Exhibit A

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

BEGINNING at an iron pin set (5/8" rebar) on the northerly sideline of Warren Avenue, said pin also being at the southeasterly corner of land now or formerly of Michael Scarfs and shown as Lot 2 on the Plan entitled "Plan of Property Warren Avenue, Portland, Maine, made for Neptune Properties, Inc., dated March 31, 1986, thence by the following courses and distances:

N 04° 24' 12" E along land now or formerly of Michael Scarfs and shown as Lot No. 2 on the aforementioned Plan, a distance of 292.07 feet to a point;

Thence turning and running **N 83° 43' 00" E** a distance of 386.20 feet to a point on the westerly sideline of land now or formerly of the Greater Portland Radic, Inc., as recorded in Cumberland County Registry of Deeds in **Book 3551, Page 190**;

Thence running **southeasterly** along **said westerly** sideline (**S 26° 09' 32" E**) a distance of **59.48** feet to a point;

Thence running southwesterly along land now or formerly of the Maine Turnpike Authority **S 18° 06' 00" W** a distance of 253.70 feet to an iron pin set (5/8" rebar) at the northerly sideline of said Warren Avenue;

Thence **S 83° 43' 00" W** along the northerly sideline of Warren Avenue a distance of 355.85 feet to the POINT OF BEGINNING.

Bearings are referenced to True North

EXCEPTING from the above described property, the premises conveyed to Wendy's Old Fashioned Hamburgers of New York, Inc. by deed dated September 24, 2002 and recorded in said Registry of Deeds in Book 18136, Page 171, as corrected by deed dated February 27, 2003 and recorded in said Registry of Deeds in Book 18956, **Page 1**.

Together with all right, title, and interest of the Grantors in and to a right of way or easement for ingress and egress on foot or by vehicle for the transmission of power, gas, water, sewer, fuel or other utility, and all other usual purposes of access over, under or above a strip of land adjoining the westerly sideline of the above-described parcel, said strip of land being described as follows:

BEGINNING at an iron pin set (5/8" rebar) on the northerly sideline of Warren Avenue, said pin also being at the southeasterly corner of land now or formerly of Pine Tree Paper, Inc. and running **N 04° 24' 12" E** for a distance of 292.07 feet, along the easterly sideline of land now or formerly of Pine Tree Paper, Inc. to a point;

Thence turning and running **N 83° 43' 00" E** for a distance of **50.88** feet to a point;

Thence turning and running **S 04° 24' 12" W** for a distance of 292.07 feet to an iron pin set (5/8" rebar) on the northerly sideline of Warren Avenue;

Thence turning and running **S 83° 43' 00" W** for a distance of **50.88** feet along the northerly sideline of Warren Avenue to the POINT OF BEGINNING.

Together with all right, title and interest of Grantors in and to the right to pave, repair, plow and maintain the above-described easement as described in a deed to Francis P. Drake dated March 31, 1988 and recorded in the Cumberland County Registry of Deeds in Book **8229, Page 47**.

07/12/2005 11:29 FAX 207 791 1350

PIERCE ATWOOD

005/009

Doc# 1744 Bk#22208 Ps: 216

Also, together with the right, title, and interest of Grantors in and to the right of way or easement for the installation, use and maintenance of an outlet from the stormwater detention basin of Lot No. 1 as described in a deed to Francis P. Drake dated March 31, 1988 and recorded in the Cumberland County Registry of Deeds in Book 8229, Page 47.

The above-described property is conveyed, **SUBJECT, HOWEVER,** to the following:

1. Taxes which are not yet due and payable on the date of delivery hereof;
2. Pole line easement from Frederick F. Knowles, et al. to Central Maine Power Company, dated March 29, 1954, and recorded in the Cumberland County Registry of Deeds in Book 2176, Page 301;
3. Twenty foot wide pipe line easement to Portland Water District, dated October 4, 1954, and recorded in said Registry of Deeds in Book 2197, Page 169;
4. Easement to Greater Portland Radio, Inc., dated May 10, 1974 and recorded in said Registry of Deeds in Book 3551, Page 190, as affected by Release of Easement from Porter Communication Systems, Inc. dated May 21, 1986, and recorded in Book 7183, Page 126, and easements to Porter Communications Systems, Inc., dated May 21, 1986, and recorded in said Registry of Deeds in Book 7183, Pages 127 and 128, as affected by Easement Amendment Agreement by and between Wargate Associates and Citadel Broadcasting Company dated March 24, 2000, and recorded in said Registry of Deeds in Book 15434, Page 232, and as affected by Notice of Relocation of Easement dated September 24, 2002, and recorded in said Registry of Deeds in Book 18138, Page 168;
5. Plan of property as approved by the Planning Board of the City of Portland recorded in Plan Book 170, Page 38, as affected by Partial Vacation of Approved Subdivision Plat as recorded on February 14, 1989 in said Registry of Deeds in Book 8657, Page 27;
6. Indenture by and between Portland Water District and Bridges de Associates dated April 27, 1988, and recorded in said Registry of Deeds in Book 8265, Page 75;
7. Affidavit of Gregory W. Boulos dated April 29, 1988, and recorded in said Registry of Deeds in Book 8272, Page 211;
8. Easements, restrictions, terms and conditions, set forth in a Quitclaim Deed With Covenant from Older Brother LLC and Younger Brother LLC to Wendy's Old Fashioned Hamburgers of New York, Inc., dated September 24, 2002, and recorded in said Registry of Deeds in Book 18138, Page 171, as affected by Corrective Quitclaim Deed dated February 27, 2003, and recorded in said Registry of Deeds in Book 18956, Page 1;
9. Terms and conditions set forth in a Road Construction, Maintenance and Easement Agreement by and between Older Brother LLC and Younger Brother LLC, as parties of the first part, and Wendy's Old Fashioned Hamburgers of New York, Inc. as party of the second part, dated September 24, 2012, and recorded in said Registry of Deeds in Book 18138, Page 182, as affected by Corrective Road

07/12/2005 11:30 FAX 207 791 1350

PIERCE ATW000

006/009

Doc#: 1744 Bk:22208 Pg: 2.7

Construction, Maintenance and Easement Agreement dated February 27, 2003, and recorded in said Registry of Deeds in Book 18956, Page 12.

- 10. ~~Terms~~ and conditions of a Sewer Joint Use Agreement between Older Brother LLC and Younger Brother LLC, as parties of the first part, and Wendy's Old Fashioned Hamburgers of New York, Inc. as party of the second part, dated September 24, 2002, and recorded in said Registry of Deeds in Book 18138, Page 191.

Received
 Recorded Register of Deeds
 Jan 07 2005 12:51:45P
 Cumberland County
 John B O'Brien

System 11
 2/12/05 11:30 AM
 FAX 207 791 1350

(W0306049 1)

07/12/2005 11:30 FAX 207 791 1350

PIERCE ATWOOD

008/009


Doc#: 1745 Bk:22208 Pg: 219

STATE OF MAINE
County of Cumberland, SS.

January 7, 2005

Then personally appeared the above-named **MORRIS FISHER**, Vice President of **OLDER BROTHER 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 limited liability company.

Before me,




Notary Public/Maine Attorney-at-Law
Printed Name: PAUL D. PIETROPOLI
Commission Expires: _____

STATE OF MAINE
County of Cumberland, SS.

JANUARY 7, 2005

Then personally appeared the above-named **GREGORY W. BOULOS**, President of **YOUNGER BROTHER 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 limited liability company.

Before me,



Notary Public/Maine Attorney-at-Law
Printed Name: PAUL D. PIETROPOLI
Commission Expires: _____

07/12/2005 11:30 FAX 207 791 1350

PIERCE ATWOOD

009/009

Doc# 1745 Bk:22208 Pg: 220

EXHIBIT A

(Agreements relating to use and/or maintenance of sewer line)

1. Affidavit (including the exhibits thereto) of Gregory W. Boulos, dated April 29, 1988, and recorded in the Cumberland County Registry of Deeds in Book 8272, Page 211 (including rights of the owner of Lot 2 on a plan recorded in the Cumberland County Registry of Deeds, in Plan Book 170, Page 38, as referenced in Section 3 of said Affidavit), as affected by Transfer Instrument from Wargate Associates and Bridgeside Associates to Seller, dated September 20, 2002, and recorded in said Registry of Deeds in Book 20650, Page 13;
2. Agreement with Northern General Services, as evidenced by letter from Boulos Property Management to Northern General Services dated June 11, 1992, letter from Northern General Services to Boulos Property Management dated September 8, 1992, letter from October 29, 1992, from Northern General Services to Boulos Property Management, and related correspondence referred to in the foregoing letters, copies of which are on file with Grantec;
3. Letter from Boulos Property Management to the City of Portland dated June 12, 2002, a copy of which is on file with Grantec; and
4. Sewer Joint Use Agreement between Older Brother LLC and Younger Brother LLC, as parties of the first part, and Wendy's Old Fashioned Hamburgers of New York, Inc. as party of the second part, dated September 24, 2002, and recorded in said Registry of Deeds in Book 18138, Page 191.

Received
 Recorded Register of Deeds
 Jan 07 2005 12:52:36P
 Cumberland County
 John B O'Brien

James D. Smith Architects LLC

P.O. Box 583, West Barnstable, MA 02668 . Tel. 508-361-8733 . fax 508-362-8744

City of Portland
Building Department, Rm 315
389 Congress Street
Portland, **ME** 04101

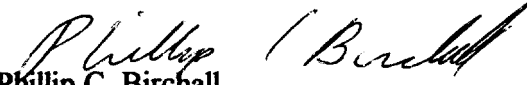
July 18, 2005

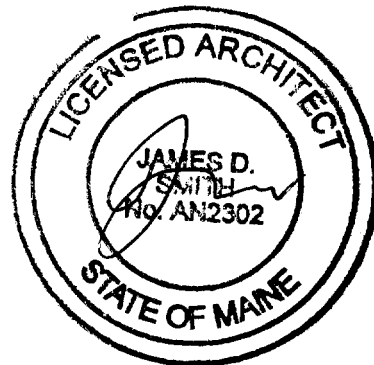
Re: Dunkin' Donuts
~~Warren~~ Ave

James D **smith**, A.I.A. LLC is the architect of record for the above **has** prepared the building permit documents. This letter is to certify that this office **has** reviewed the price of \$525,000 proposed by the builder, Thompson Building, as being an accurate valuation for the proposed work.

Furthermore, enclosed is a revised A9.1 roof framing plan giving the location of proposed headers. The design information for these is enclosed as required by IBC **2003**. Any further question(s) or assistance you required please call me at **508-362-8733** X14.

Yours truly


Phillip C. Birchall
Construction Manager





CITY OF PORTLAND
BUILDING CODE CERTIFICATE
389 Congress St., Room 315
Portland, Maine 04 101

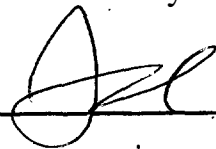
ACCESSIBILITY CERTIFICATE

Designer: _____

Address of Project: 599 WARREN AVE.

Nature of Project: NEW DUNKIN DONUTS

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.

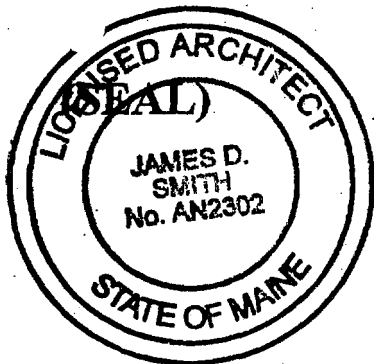
Signature: 

Title: Architect

Firm: James D. Smith Architects, LLC

Address: P.O. Box 583 1170 Main St.
W. Barnstable MA 02668

Phone: 508-362-8733



NOTE: If this project is a new Multi Family Structure of 4 units or more, this project must also be designed in compliance with the Federal Fair Housing Act. On a separate submission, please explain in narrative form the method of compliance.



CITY OF PORTLAND
BUILDING CODE CERTIFICATE
389 Congress St., Room 315
Portland, Maine 04 101

TO: Inspector of Buildings City of Portland, Maine
Department of Planning & Urban Development
Division of Housing & Community Service

FROM: _____

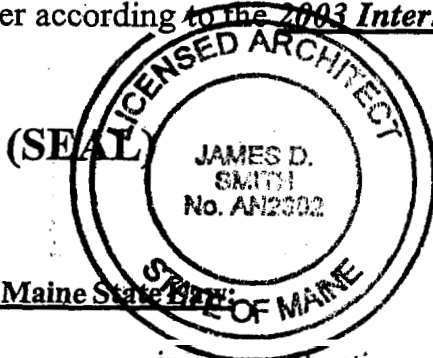
RE: Certificate of Design

DATE: _____

These **plans** and/ or specifications covering construction work on:

New Dunkin Donut 599 WARREN AVE.

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: _____

Title: _____

Firm: James T. Smith Architects LLC

Address: P.O. Box 583
West Barnstable MA
02668

As per Maine State Rule:
\$50,000.00 or more in new construction, repair expansion, addition, or modification for Building or Structures, shall be prepared by a registered design Professional.

FROM DESIGNER: James Smith, AIA LLC
 DATE: July 18 2005
 Job Name: Dunkin' Donuts
 Address of Construction: 599 W. W. R. Ave

2003 International Building Code

Construction project was designed according to the building code criteria listed below:

Building Code and Year IBC A003 Use Group Classification(s) A2

Type of Construction III B

Will the Structure have a Fire suppression system in Accordance with Section 903.3.1 of the 2003

Is the Structure mixed use? no if yes, separated or non separated (see Section 302.3)

Supervisory alarms system? no Geotechnical/Soils report required?(See Section 1802.2)

STRUCTURAL DESIGN CALCULATIONS

Submitted for all structural members (100.1, 100.1.1)

0 Live load reduction (1603.1.1, 1607.9, 1607.10)
50 #/ft² Roof live loads (1603.1.2, 1607.11)

DESIGN LOADS ON CONSTRUCTION DOCUMENTS (1603)

Roof snow loads (7603.7.3, 1608)

Uniformly distributed floor live loads (7603.11, 1607)

Floor Area Use	Loads Shown
<u>100 #/ft²</u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

50 #/ft² Ground snow load, P_g (1608.2)
 If $P_g > 10$ psf, flat-roof snow load, P_f (1608.3)
 If $P_g > 10$ psf, snow exposure factor, C_e (Table 1608.3.1)
 If $P_g > 10$ psf, snow load Importance factor, I_s (Table 1604.5)
 Roof thermal factor, C_t (Table 1608.3.2)
 Sloped roof snowload, P_s (1608.4)

Wind loads (1603.1.4, 1609)

 Design option utilized (1609.1.1, 1609.6)
100 MPH Basic wind speed (1609.3)
II Building category and wind Importance factor, I_w (Table 1604.6, 1609.5)
B Wind exposure category (1609.4)

 Seismic design category (1616.3)
 Basic seismic-force-resisting system (Table 1617.6.2)
 Response modification coefficient, R , and deflection amplification factor, C_d (Table 1617.6.2)
 Analysis procedure (1616.6, 1617.5)
 Design base shear (1617.4, 1617.5.1)

use 3x #/ft Internal pressure coefficient (ASCE 7)

2 do Component and cladding pressures (1609.1.1, 1609.6.2.2)
do Main force wind pressures (7603.1.1, 1609.6.2.1)

Flood loads (1603.1.8, 1612)
 Flood hazard area (1612.3)
 Elevation of structure

Earthquake design data (1603.1.5, 1614 - 1623)

Exception 3 Design option utilized (1614.1)
 Seismic use group ("Category") (Table 1604.5, 1616.2)
 Spectral response coefficients, S_{DS} & S_{D1} (1615.1)
 Site class (1615.1.5)

Other loads
 Concentrated loads (1607.4)
16 #/ft² Partition loads (1607.5)
 Impact loads (1607.8)
 Misc. loads (Table 1607.6, 1607.6.1, 1607.7, 1607.12, 1607.13, 1610, 1611, 2404)

Portland ME
Warren Ave

BeamChek v2.4 licensed to: Phillip C. Birchall Reg # 2101-2918

Portland beam 1

35E 5 1/2 x 11 7/8 LVL OR =

Date, 7/18/05

Selection

(3) 1-3/4x 9-1/4 1.8E LP Gang-lame LVL

Conditions

Min Rearing Area R1= 7.3 in' R2= 7.3 in' DL Defl 0.05 in

Data

Beam Span	8.5 ft	Reaction 1 LL	3188 #	Reaction 2 LL	3188 #
Beam Wt per ft	12.14 #	Reaction 1 TL	4408 #	Reaction 2 TL	4408 #
Bm Wt Included	103 #	Maximum V	4408 #		
Max Moment	9367' #	Max V (Reduced)	3608 #		
TL Max Defl	L / 240	TL Actual Defl	L / 581		
LL Max Defl	L / 360	LL Actual Defl	L / 803		

Attributes

	Section (in')	Shear (ip ²)	TL Defl (in)	LL Defl
Actual	74.87	48.56	0.18	0.13
Criiicai	38.68	19.33	0.43	0.28
Status	OK	OK	OK	OK
Ratio	52%	40%	41%	45%

Values

	Fb (psi)	Fv (psi)	E (psi x mil)	Fc _⊥ (psi)
Base Values	2800	280	2.0	600
Base Adjusted	2906	280	2.0	600

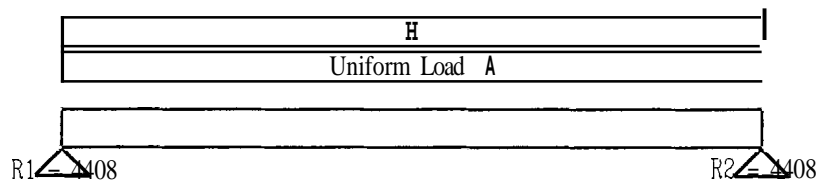
Adjustments

CF Size Factor	1.038			
Cd Duration	1.00	1.00		
Cf Repetitive	1.00			
Ch Shear Stress		1.00		
Cm Wet Use	1.00	1.00	1.00	1.00
Cl Stability	0.0000	Rb = 0.00	Le = 0.00 Ft	Kbe = 0.0

Loads

Uniform LL: 750 Uniform TL: 975 = A

	Par Unif TL	Start	End
	H = 50	0	8.5



SPAN = 8.5 FT

Uniform and partial uniform loads are lbs per lineal ft

Portland ME
Warren Ave

BeamChek v2.4 licensed to: Phillip C. Birchall Reg # 2101-2918

Portland beam 2

Date: 7/18/05

Selection

(3) 1-3/4x 11-7/8 1.8E LP Gang-Lame LVL

Conditions

Min Bearing Area R1= 10.0 in² R2= 10.0 in² DL Defl 0.08 in

Data

Beam Span	11.5 ft	Reaction 1 LL	4313 #	Reaction 2 LL	4313 #
Beam Wt per ft	15.59 #	Reaction 1 TL	5983 #	Reaction 2 TL	5983 #
Brn W Included	179 #	Maximum V	5983 #		
Max Moment	17202 #	Max V (Reduced)	4954 #		
TL Max Defl	L / 240	TL Actual Defl	L / 495		
LL Max Defl	L / 360	LL Actual Defl	L / 686		

Attributes

	Section (in')	Shear (in ²)	TL Defl (in)	LL Defl
Actual	123.39	62.34	0.28	0.20
Critical	73.61	26.54	0.58	0.38
Status	OK	OK	OK	OK
Ratio	60%	43%	49%	52%

Values

	Fb (psi)	Fv (psi)	E (psi x mil)	Fc _⊥ (psi)
Base Values	2800	280	2.0	600
Base Adjusted	2804	280	2.0	600

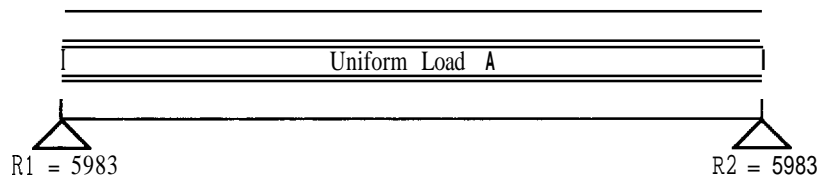
Adjustments

CF Size Factor	1.001			
Cd Duration	1.00	1.00		
C _r Repetitive	1.00			
C _h Shear Stress		1.00		
C _m Wt Use	1.00	1.00	1.00	1.00
C _i Stability	0.0000	Rb = 0.00	Le = 0.00 Ft	Kbe = 0.0

Loads

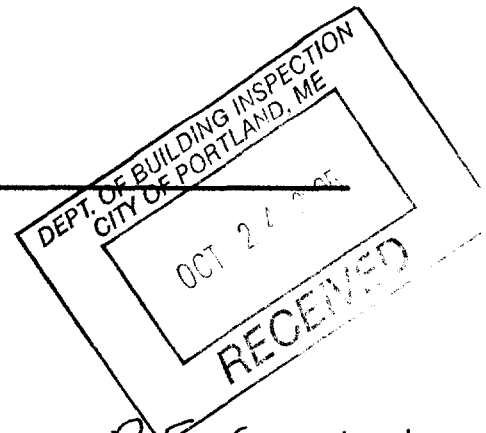
Uniform 11 750 Uniform TL 975 = A

Par	Unif TL	Start	End
H = 50		0	11.5



Uniform and partial uniform loads are lbs per lineal ft

Statement of Special Inspections



Project: Dunkin Donuts
Location: Warren Ave, Portland, ME
Owner: Kmco Development
Design Professional in Responsible Charge: Aaron C. Jones, P.E. (Structural)

This **Statement of Special Inspections** is submitted as a condition for permit issuance in accordance with the Special Inspection and Structural Testing requirements of the Building Code. It includes a schedule of Special Inspection services applicable to this project as well as the name of the Special Inspection Coordinator and the identity of other approved agencies to be retained for conducting these inspections and tests. This **Statement of Special Inspections** encompass the following disciplines:

- Structural Mechanical/Electrical/Plumbing
 Architectural Other: _____

The Special Inspection Coordinator shall keep records of all inspections and shall furnish inspection reports to the Building Official and the Registered Design Professional in Responsible Charge. Discovered discrepancies shall be brought to the immediate attention of the Contractor for correction. If such discrepancies are not corrected, the discrepancies shall be brought to the attention of the Building Official and the Registered Design Professional in Responsible Charge. The Special Inspection program does not relieve the Contractor of his or her responsibilities.

Interim reports shall be submitted to the Building Official and the Registered Design Professional in Responsible Charge.

A **final Report of Special Inspections** documenting completion of all required Special Inspections, testing and correction of any discrepancies noted in the inspections shall be Submitted prior to issuance of a Certificate of Use and Occupancy.

Job site safety and means and methods of construction are solely the responsibility of the Contractor.

Interim Report Frequency:

or per attached schedule.

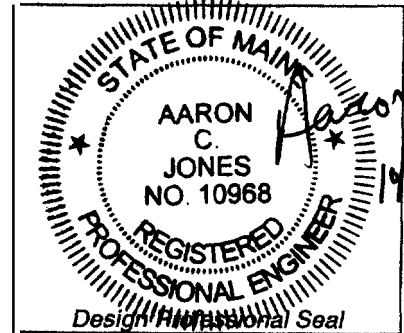
Prepared by:

Aaron C. Jones

(type or print name)

Aaron C. Jones
Signature

10/21/05
Date



Owner's Authorization:

Building Official's Acceptance:

Signature

Date

Signature

Date

Schedule of Inspection and Testing Agencies

This Statement of Special Inspections/ Quality Assurance Plan includes the following building systems:

- Soils and Foundations
- Cast-in-Place Concrete
- Precast Concrete
- Masonry
- Structural Steel
- Cold-Formed Steel Framing

- Spray Fire Resistant Material
- Wood Construction
- Exterior Insulation and Finish System
- Mechanical & Electrical Systems
- Architectural Systems
- Special Cases

Special Inspection Agencies	Firm	Address, Telephone, small
1. Special Inspection Coordinator <i>To Be Determined</i>		
2. Inspector <i>Aaron C Jones</i>	<i>Structural Integrity</i>	<i>180 Beacon St. Portland ME 207-774-4614 aaron@structuralintegrity.com</i>
3. Inspector <i>N/A</i>		
4. Testing Agency <i>N/A</i>		
5. Testing Agency <i>N/A</i>		
6. Other <i>/</i>		

Note: The inspectors and testing agencies shall be engaged by the Owner or the Owner's Agent, and not by the Contractor or Subcontractor whose work is to be inspected or tested. Any conflict of interest must be disclosed to the Building Official, prior to commencing work.

Quality Assurance Plan

Quality Assurance for Seismic Resistance

Seismic Design Category

Quality Assurance Plan Required (Y/N) Y

Description of seismic force resisting system and designated seismic systems:

1705.1 - light wood framing

$$S_{DS} = 0.5g$$

$$h \leq 35'$$

Quality Assurance for Wind Requirements

Basic Wind Speed (3 second gust)

Wind Exposure Category

Quality Assurance Plan Required (Y/N) Y

Description of wind force resisting system and designated wind resisting components:

1706.1
3 sec gust = 90 mph

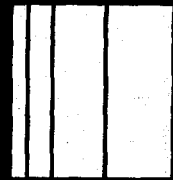
Statement of Responsibility

Each contractor responsible for the construction or fabrication of a system or component designated above must submit a Statement of Responsibility.

N/A

Item	Agency # (Qualif.)	Scope
1. Mix Design Periodic	2 ACI-CCI ICC-RCSI	Review concrete batch tickets and verify compliance with approved mix design. Verify that water added at the site does not exceed that allowed by the mix design.
2. Material Certification		
3. Reinforcement Installation Prior to Placement	3 ACI-CCI ICC-RCSI	Inspect size, spacing, cover, positioning and grade of reinforcing steel. Verify that reinforcing bars are free of form oil or other deleterious materials. Inspect bar laps and mechanical splices. Verify that bars are adequately tied and supported on chairs or bolsters
4. Post-Tensioning Operations N/A	ICC-PCSI	Inspect placement, stressing, grouting and protection of post-tensioning tendons. Verify that tendons are correctly positioned, supported, tied and wrapped. Record tendon elongations.
5. Welding of Reinforcing N/A	AWS-CWI	Visually inspect all reinforcing steel welds. Verify weldability of reinforcing steel. Inspect preheating of steel when required.
6. Anchor Rods periodic	2	Inspect size, positioning and embedment of anchor rods. Inspect concrete placement and consolidation around anchors.
7. Concrete Placement Continuous	2 ACI-CCI ICC-RCSI	Inspect placement of concrete. Verify that concrete conveyance and depositing avoids segregation or contamination. Verify that concrete is properly consolidated.
8. Sampling and Testing of Concrete N/A	ACI-CFTT ACI-STT	Test concrete compressive strength (ASTM C31 & C39), slump (ASTM C143), air-content (ASTM C231 or C173) and temperature (ASTM C1064).
9. Curing and Protection periodic	2 ACI-CCI ICC-RCSI	Inspect curing, cold weather protection and hot weather protection procedures.
10. Other:		

Item	Agency# (Qualif.)	Scope
1. Fabricator Certification/ Quality Control Procedures <input checked="" type="checkbox"/> Fabricator Exempt		<i>Inspect shop fabrication and quality control procedures for wood truss plant.</i>
2. Material Grading N/A		
3. Connections N/A		
4. Framing and Details periodic	2	
5. Diaphragms and Shearwalls periodic	3	<i>Inspect size, configuration, blocking and fastening of shearwalls and diaphragms. Verify panel grade and thickness.</i>
6. Prefabricated Wood Trusses N/A		<i>Inspect the fabrication of wood trusses.</i>
7. Permanent Truss Bracing periodic	2	
8. Other:		



December 2, 2004
03461

Kandi Talbot
City of Portland Planning
389 Congress Street
Portland, Maine 04101

12/8/04

Sketch Pl Submission for **the**
D Donuts, 597 Warren Avenue

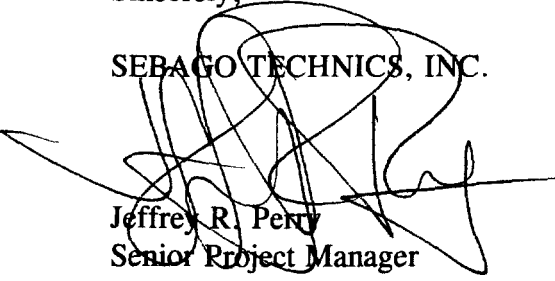
Dear Kandi:

On behalf of Kimco Realty, LLC, we are resubmitting the enclosed Site Plan for Planning Board Workshop. The plan has been revised to provide more efficient on-site circulation and minimize conflicting traffic movements. Additions to the plan from previous submissions include a proposed land swap with the adjacent parcel (to the east) and a proposed curb-cut for future access. These changes (in principle) have been mutually agreed to by both parties.

We look forward to presenting these changes in greater detail to the Board at the January 11, 2005 meeting. In the interim, please call with any questions or comments.

Sincerely,

SEBAGO TECHNICS, INC.

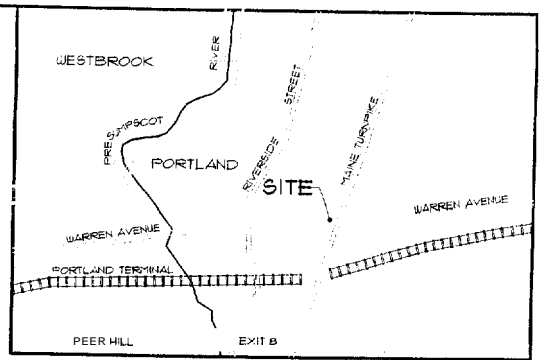


Jeffrey R. Perry
Senior Project Manager

Enclosure

JRP:jrp/df

cc Ed Wolak, Kimco Realty, LLC
Eben Adams, Pierce Atwood



LOCATION MAP

GENERAL NOTES:

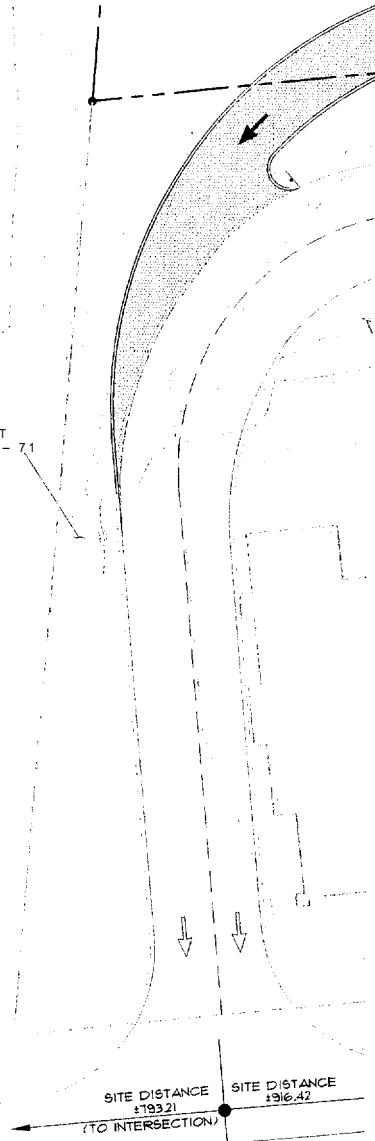
1. THE RECORD OWNER OF THE PROPERTY IS OLDER BROTHER LLC AND YOUNGER BROTHER LLC BY DEED AND RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS.
2. THE PROPERTY IS SHOWN ON THE CITY OF PORTLAND TAX MAP 314, BLOCK A, DEPICTED AS LOT 1 AND IS LOCATED IN THE B-4 (COMMERCIAL CORRIDOR BUSINESS).
3. SPACE AND BULK CRITERIA: (B-4 COMMERCIAL CORRIDOR BUSINESS)

ITEM:	ORDINANCE:	SUBJECT:
MIN. LOT SIZE:	10,000 SF	58,242 SF
MIN. STREET FRONTAGE:	60'	10.44'
MIN. FRONT YARD:	20'	30'
MIN. SIDE YARD:	10'	21'
MIN. REAR YARD:	20'	120'
MAX. BUILDING HEIGHT:	65 FT	25'
MAX. LOT COVERAGE:	90%	88%
IMPERVIOUS AREA:		28,248 SF
4. PLAN REFERENCES
 - A. EXISTING CONDITIONS PLAN PREPARED BY OWEN HASKELL, INC. DATED JAN 3 2007 REVISED AUGUST 12 2007
 - B. WETLANDS HAVE BEEN DELINEATED BY DUKE ENGINEERING AND FIELD LOCATED BY OWEN HASKELL, INC.
 - C. BEARINGS AND GRID COORDINATES SHOWN HEREON ARE BASED UPON GRID NORTH NAD 1983 MAINE WEST ZONE. CONTOURS AND ELEVATIONS SHOWN HEREON ARE BMED UPON NGVD 1973 VERTICAL DATUM.
5. THE PROJECT IS TO BE SERVICED BY PUBLIC WATER AND SEWER SYSTEMS.
6. ALL MATERIALS AND INSTALLATIONS SHALL MEET M.D.C.T. AND/OR CITY OF PORTLAND STANDARDS AND SPECIFICATIONS.
7. APPARENT UNDERGROUND UTILITIES SHOWN HEREON ARE BASED UPON THE LOCATION OF EXISTING RAINT MARKINGS TOGETHER WITH THE VISIBLE ABOVE GROUND FEATURES OF UNDERGROUND UTILITY STRUCTURES. DIGSAFE MUST BE NOTIFIED PRIOR TO ANY UNDERGROUND EXCAVATION ON THIS SITE TO CONFIRM THE LOCATION OF UNDERGROUND UTILITIES. THE CONTRACTOR IS HEREBY CAUTIONED THAT ADDITIONAL UNDERGROUND UTILITIES MAY EXIST.
8. ALL TRAFFIC SIGNS SHALL MEET MUTCD STANDARDS.
9. LANDSCAPING SHALL MEET THE "ARBORICULTURAL SPECIFICATIONS AND STANDARD OF PRACTICE AND LANDSCAPE GUIDELINES" OF THE CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND GUIDELINES.
10. THE ENTIRE SITE SHALL BE DEVELOPED AND/OR MAINTAINED AS DEPICTED ON THE SITE PLAN. APPROVAL OF THE PLANNING AUTHORITY OR PLANNING BOARD SHALL BE REQUIRED FOR ANY ALTERATION TO OR DEVIATION FROM THE APPROVED SITE PLAN, INCLUDING WITHOUT LIMITATION, TOPOGRAPHY, DRAINAGE, LANDSCAPING, RETENTION OF WOODED OR LAWN AREAS, ACCESS, SIZE, LOCATION AND SURFACING OF PARKING AREAS, AND LOCATION AND SIZE OF BUILDINGS.
10. ALL POWERLINE UTILITIES SHALL BE UNDERGROUND.
11. SIDEWALKS AND CURBING SHALL BE DESIGNED AND BUILT WITH TIP DOWN RAMPS AT ALL STREET CORNERS, CROSSWALKS AND DRIVEWAYS IN CONFORMANCE WITH THE CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND GUIDELINES.
12. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE DESIGNED IN ACCORDANCE WITH MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION, BEST MANAGEMENT PRACTICES PUBLISHED BY THE CUMBERLAND COUNTY SOIL AND WATER CONSERVATION DISTRICT AND MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, MARCH 1991 OR LATEST EDITION.
13. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY SITE EXCAVATION OR REGRADING.
14. ALL DISTURBED AREAS ON THE SITE NOT COVERED BY BUILDINGS OR PAVED AREAS SHALL BE STABILIZED WITH LOAN AND YIELD OR OTHER METHODS AS REQUIRED BY BEST MANAGEMENT PRACTICES (SEE ABOVE).
15. PRIOR TO CONSTRUCTION A PRECONSTRUCTION MEETING SHALL BE HELD AT THE PROJECT SITE WITH THE CONTRACTOR DEVELOPMENT REVIEW COORDINATOR, PUBLIC WORKS 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 REPRESENTATIVE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ARRANGE A MUTUALLY AGREEABLE TIME FOR THE PRECONSTRUCTION MEETING.
16. EXISTING VEGETATION SHALL BE CONSERVED IN AREAS SHOWN ON THIS SITE. FENCING OR OTHER PROTECTIVE BARRIERS SHALL BE ERRECTED OUTSIDE THE DRIP-LINE OF INDIVIDUAL GROUPINGS OF TREES DESIGNATED FOR PRESERVATION PRIOR TO THE ONSET OF CONSTRUCTION. REGRADING SHALL NOT TAKE PLACE WITHIN THE DRIP-LINE OF TREES DESIGNATED FOR PRESERVATION. NO STORAGE OR CONSTRUCTION MATERIALS SHALL BE PERMITTED WITHIN THE DRIP-LINE OF TREES TO BE PRESERVED.

H/F
FRANCIS P. DRAKE
P.O. BOX 1378
PORTLAND, MAINE
8229/47
TM 314
LOT A-6 LOT 2

ACCESS EASEMENT
FOR LOT 314 - A - 71

DRAINAGE EASEMENT
(DETENTION POND AREA)



LEGEND

EXISTING	DESCRIPTION	PROPOSED
---	PROPERTY ROW	---
---	EASEMENT	---
---	BUILDING	---
---	WETLANDS	---
---	EDGE WETLAND	---
---	SIGN	---
---	EDGEPAVEMENT	---
---	CURBLINE	---
---	GAS	---
---	STORM DRAIN	---
---	FORCE MAIN	---
---	OVERHEAD ELEC & TEL	---
---	UNDERGROUND ELEC & TEL	---
---	LIGHT POLE	---
---	UTILITY POLE	---
---	CATCU BASIN	---
---	MANHOLE	---

REV.	BY:	DATE:	STATUS:
D	JRP	12-1-04	REVISED SITE LAYOUT
C	JRP	10-7-04	REVISED LAYOUT AND STORMWATER DETENTION POND
B	JRP	8-19-04	SUBMITTED FOR M.D.C.T. SCORING MEETING
A	JRP	6-14-04	SUBMITTED FOR PRELIMINARY SITE PLAN REVIEW

Sebago Technics
Engineering Expense You Can Build On
One Church Street
Westbrook, Me 04098-1339
Tel (207) 898-0277

PROJECT NO: FIELD BOOK: DESIGN / CHGD: DRAWN: MAIL:
03461 - - - JRP JRP JRP

SITE PLAN
OF
DUNKIN' DONUTS
WARREN AVENUE
PORTLAND, MAINE
FOR:
KIMCO
25 SEAWALK ROAD
SCARBOROUGH, MAINE 04374

DATE	SCALE
12-1-04	1" = 20'

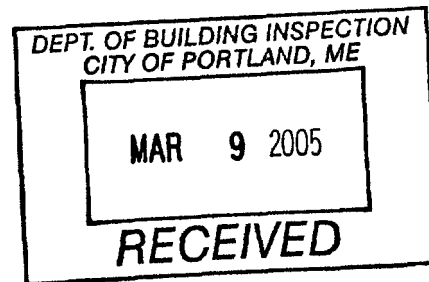
SHEET 1 OF 1

March 8, 2005
03461

597 Warren Ave

3/9/05

Ms. Kandi Talbot
Department of Planning and Development
City of Portland
389 Congress Street
Portland, Maine 04101



Dunkin' Donuts, Final Site Plan Review

Dear Kandi:

On behalf of Kimco Realty, LLC, we are pleased to submit 7 copies of the enclosed final site plan application for the above referenced project. The proposed layout has been modified since the January 2005 workshop in the following ways:

- A smaller building is proposed (2,512 SF to 1,840 SF)
- The driveway connection to the adjacent parcel, near Warren Avenue has been removed. Ingress/egress is still provided (where it currently exists) near the rear of the subject parcel.
- The width of the driveway curb-cut onto Warren Avenue has been reduced from 64' to 35' at the request of Tom Errico, traffic peer review.

In addition to the above changes, we have responded to the outstanding issues itemized in the January 21, 2005 Planning Department Memo:

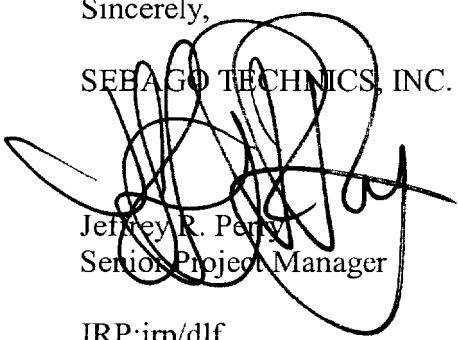
- The stormwater management has been revised to reflect the changes to the layout. A complete stormwater management plan is attached.
- Utility capacity letters (electric, water and gas) are attached. A sewer capacity letter was solicited from Public Works; a response has not been received as of the date of this submittal.
- Lighting catalogue cut-sheets of the proposed fixtures (full cut-off) and photometric plan are attached.
- Recommended plant substitutions have been made to the Landscape Plan as requested.
- The neighborhood meeting is not a requirement of a minor site plan, therefore, at your direction, one was not held.

- A signage plan is now shown on the Site Plan. The applicant will collocate their sign on the existing pylon sign for Wendy's, a sign detail is attached herein. In addition, there will be three directional signs on the site: 1. At the entrance to direct patrons to Wendy's, Dunkin' Donuts and Pioneer Telephone. 2. After the Dunkin' drive-up window, patrons will be directed to a "Left Turn Only" to exit the site, and 3. Where Dunkin' and Pioneer traffic merge with Wendy's to exit the site, a Stop-Sign is shown.
- The revised Grading and Utility Plan shows that 9,135 SF of wetlands will be impacted. Approximately 3,745 SF is associated with the existing stormwater pond, which will be reconfigured to manage both the subject parcel as well as Wendy's. A Wetland Alteration Permit has been submitted to the Maine DEP for this proposed activity.
- Amended Wendy's Site Plan: Under separate cover.
- An additional crosswalk has been added to the plans.

We look forward to presenting this information to the Board at the March 22, 2005 Public Hearing/Final Approval. After your review of the enclosed information, please call with any questions or comments.

Sincerely,

SEEAGO TECHNICS, INC.



Jeffrey R. Perry
Senior Project Manager

JRP:jrp/dlf

Enclosures

cc: Ed Wolak, Kimco Realty
Eben Adams, Pierce Atwood

Utility Letters

Lighting Cut-Sheets

Pylon Sign Detail



Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

February 22, 2005

Mr. Jeffrey R. Perry
Sebago Technics, Inc.
One Chabot Street
Westbrook, Maine 04098-1339

Re: Dunkin' Donuts, Portland

Dear Jeffrey:

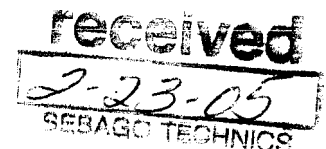
The Portland Water District has a 20" water main in a R/W crossing your property off Warren Avenue, Portland. There is no water main in Warren Avenue. A test on a nearby hydrant produced the following results: static pressure 80psi; pito pressure 64 psi; with a flow of 1342 **gpm**. With these results in mind, the District feels we have sufficient capacity available to serve this proposed project and meet all normal fire protection and domestic water service demands. This test hydrant is at a higher elevation than your project, so I expect a higher static pressure at your site. **Please notify your plumber of these results so that they can design your system to best fit the available pressure.**

With certification by the developer that all required permits and easement indentures have been received, we look forward to serving this project.

Sincerely,

PORTLAND WATER DISTRICT

David W. Coffin, PLS
Engineering Supervisor





Central Maine Power

rec'd
7-1-04

#103461

June 30, 2004

Mr. Jeffrey R. Perry
C/O Sebago Technics
One Chabot Street
PO Box 1339
Westbrook, Maine 04098

RE: Proposed Dunkin Donuts, 597 Warren Avenue, Portland

Dear Mr. Perry,

This letter is to advise you that Central Maine Power has sufficient three phase electrical capacity in the area to serve the subject project.

Once the project is accepted by the City of Portland, the owner will need to call our Customer Service Center at 1-800-565-3181 to sign up for a New Account and a Work Request Order so we may start a cost estimate.

To complete the cost estimate I will need the information of what voltage is required, the size of the main disconnect and the kilowatt loads required for the new facility. This information should be provided to me from the electrician or electrical engineering firm.

If you have any questions please feel free to call me at 828-2882.

Sincerely,

Paul DuPerre
Technical Advisor

An equal opportunity employer

162 Canco Road | Portland, ME 04103

tel (800) 750-4000

www.cmpco.com

An Energy East Company

Jeffrey Perry

From: psevigny@nisource.com
Sent: Wednesday, February 23, 2005 8:20 AM
To: jperry@sebagotech.com
Subject: Re: Proposed Dunkin' Donuts, Warren Ave. **Portland, Maine**



Commercial Request
for Gas Ser

Jeffrey,

Based on my research it appears that we have a six inch plastic main running past this location. The main appears to be located on the even side

of the street close to the curb. This would require us to do a long side crossing to reach the site in question. I could not tell from the records

as to whether the existing main is operating at low or intermediate pressure but we can add the load at this location either way.

The next step is to put a package of information together (see attached example) and mail it to the sales department. It will be assigned to one of

the reps who will initiate a cost to serve analysis and report the results

to the owner. After the owner signs the contract the rep. will forward a package to our construction department who will coordinate installation with the on-site GC.

Please let me know if you any questions or need further information.

(See attached file: Commercial Request for Gas Service.doc)

Regards,
Phil Sevigny, R.C.G.C.
Commercial Sales Representative
BSG/NU
603-436-03 10 X 5368

Jeffrey Perry

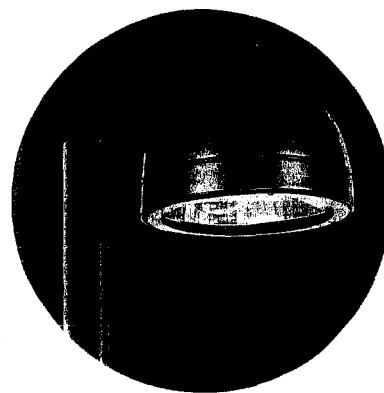
<jperry@sebagotech To: Philip
Sevigny/BSG/Enterprise@NiSource

WASHINGTON

SMALL/MEDIUM/LARGE

Features

- Spun aluminum, round dome-top housing, with narrow decorative reveal.
- Optional color vinyl trim stripe available.
- Formed aluminum door with clear, flat tempered glass lens, fully gasketed to housing. Hinged door secured with captive screws.
- Specular, anodized aluminum reflectors for horizontal lamp, provide Type II, III, IV or V square light patterns, and for vertical lamp provide Type IV or V square light patterns. Horizontal Type II and Type III reflectors with WN1 and WN2, and vertical Type V5 reflector feature unique, multi-faceted designs - patent pending. Segmented horizontal Type III, vertical Type III, and vertical Type V4 reflectors with WN3.
- IESNA Full Cutoff lighting classification achieved with vertical lamp.
- Extruded aluminum arm for pole mount. Cast aluminum wall bracket available.
- Pole top luminaire has four aluminum tube arms and cast slipfitter for 2 3/8" OD tenon.
- Mogul porcelain socket, pulse rated, with spring loaded, nickel plated center contact and reinforced lamp grip screw shell. Medium base for ED-17 lamp.
- CWA type ballast, HFF, starting rated at -20°F (-40°F for HPS).



Ordering Information

Example: WN3 - A - H1K - H3 - F - Q - DB - F4

Series	Mount	Lamp/Watts	Orient./Dist.	Lens	Volts	Color	Options
Series			Lamp Orientation/Distribution				
WN1		100-175W (H2, H3, H4, H5, or V5)	H2 Horiz. II				
WN2		150-400W (H2, H3, H4, H5) or 150-200W (V4, V5)	H3 Horiz. III				
WN3		1000W (H3, H4, H5) or 250-400W (V3, V4, V5)	H4 Horiz. IV				
			H5 Horiz. V (square)				
			v3 Vert. III				
			v4 Vert. IV				
			V5 Vert. V (square)				
Mounting			Lens				
A	Arm Mount		F	Flat			
WWB	Wall Bracket		Voltage				
ST	Spider Mount (2 3/8" tenon)		Q	Quad Tap® (120, 208, 240, 277V) 480V ¹			
			S	120/277/347V CSA			
			T	120/277/347V CSA			
Lamp Type/Wattage			Color				
Metal halide			DB	Dark Bronze			
H17	175W (ED-28) ²		BL	Black			
H25	250W (ED-28)		WH	White			
H40	400W (ED-28)		GR	Gray			
H1K	1000W (ET-56)		PS	Platinum Silver			
Super Metal Halide			RD	Red (Premium Color)			
MS17	175W (ED-28) ²		DG	Dark Gray (Premium Color)			
MS25	250W (ED-28)		FG	Forest Green (Premium Color)			
MS40	400W (ED-28)		CC	Custom Color (Consult Factory)			
MS1K	1000W (BT-56)		Options				
Pulse Start Metal Halide			F1	Fusing- 120V			
P10	100W (ED-17)		F2	Fusing- 208V			
P12	125W (ED-17)		F3	Fusing- 240V			
P15	150W (ED-28) ²		F4	Fusing- 277V			
P17	175W (ED-17) ²		F5	Fusing- 480V			
P20	200W (ED-28) ²		F6	Fusing- 347V			
P25	250W (ED-28)		P1	Photo Button - 120V			
P32	320W (ED-28)		P2	Photo Button - 208V			
P35	350W (ED-28)		P3	Photo Button - 240V			
P40	400W (ED-28)		P4	Photo Button - 277V			
High Pressure Sodium			P6	Photo Button - 347V			
S10	100W (ED-23 1/2) ²		QZ	Quartz RS with lamp			
S15	150W (ED-23 1/2) ²		HS	Internal House Side Shield			
S25	250W (ED-18)		VG	Polycarbonate Vandal Guard			
S40	400W (ED-18)		RXX	Reveal (specify color)			
S1K	1000W (E-25)		L	Lamp			

Arm Logic - Order Separately

Series	
ARM	Rigid Arm
Luminaire Shape	
W	Washington
Arm Length	
6	6" Arm (EPA: 1.0 ft ² , 0.1m ² , 40 lbs, 20 kg)
Pole Shape	
S	Square
R4	Round Straight (4-4.5")
R5	Round Straight (5")
R6	Round Straight (6")
T2	Round Tapered (2.5")
T3	Round Tapered (3")
T35	Round Tapered (3.5")
T4	Round Tapered (4")
Color	
DB	Dark Bronze
BL	Black
WH	White
GR	Gray
PS	Platinum Silver
RD	Red (Premium Color)
FG	Forest Green (Premium Color)

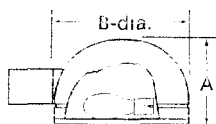
- 1 Not available with 100W Pulse Start MH lamp.
- 2 Must use medium base ED-17 lamp in vertical units.
- 3 Vertical lamp only.

ROUND LUMINAIRES

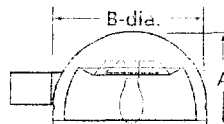
Dimensions

	A	B	C
WN1	11 1/2"	18"	23 1/2"
	292 mm	457 mm	597 mm
WNII	14"	22 1/2"	27 1/4"
	356 mm	572 mm	692 mm
WNIII	17 1/2"	26"	29 3/4"
	445 mm	660 mm	756 mm

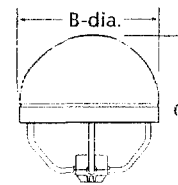
Note: Spider mount adds: Large - 0.5 EPA (5 lbs), Medium - 0.3 EPA (3 lbs), Small - 0.2 EPA (2 lbs)



Arm Mount (PVI)



Arm Mount (PVI)

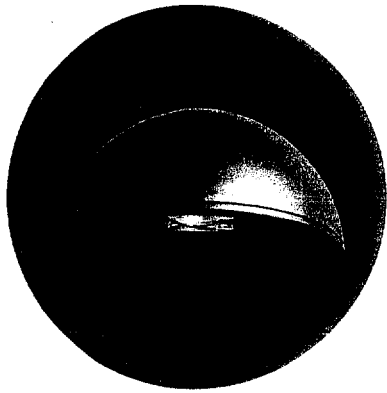


Spider Mount (Sivi-S F)

SPAULDING
LIGHTING

BWD/BWU SERIES

Features



- Temper glass lens, sealed to cast aluminum door and secured to housing with stainless steel allenhead screws. BWD has opal glass for soft distribution with lamp image shielding. BWU has clear lens for maximum uplight.
- Heavy wall, cast aluminum housing. Mounts over recessed j-boxes with galvanized steel wall flange. Stays put! No exposed mounting hardware.
- Soft uniform Type V distribution from BWD opal lens. Slight asymmetric distribution from clear lens uplight version. Specular reflector increases lumen output.
- Available in 50,70,100 watt Metal halide and HPS, 2PLC26 fluorescent and 100watt max. incandescent.
- Standard finishes include dark bronze, black, white and platinum.

Ordering Information

Example: BWD15 - 50HPS - 120 - DBZ - XX

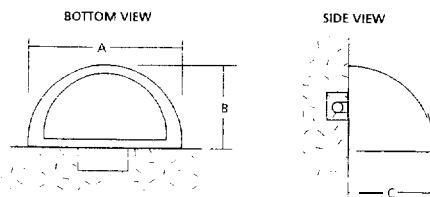
Series Watts/Source Volts Finish Options

Series		Voltage		Options	
BWD15	Downlight	120	120V	F	Fusing
BWU15	Uplight	277	277V	LP	Lamp included.
Wattage/Source		MT	Multi-Tap (120/208/240/277V)		
50HPS	Medium Base	347	347v		
70HPS	Medium Base	Finish			
100HPS	Medium Base	DBZ	Dark Bronze		
50MH	Medium Base	BLK	Black		
70MH	Medium Base	WHT	White		
100MH	Medium Base	SAL	Platinum		
100INC	Medium Base				
2PLC26	G24d-3 Base				

DEVINE
DESIGN™

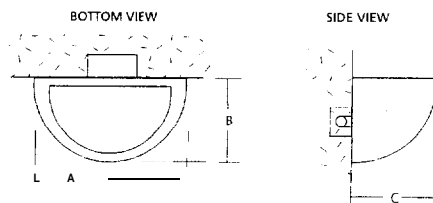
Dimensions

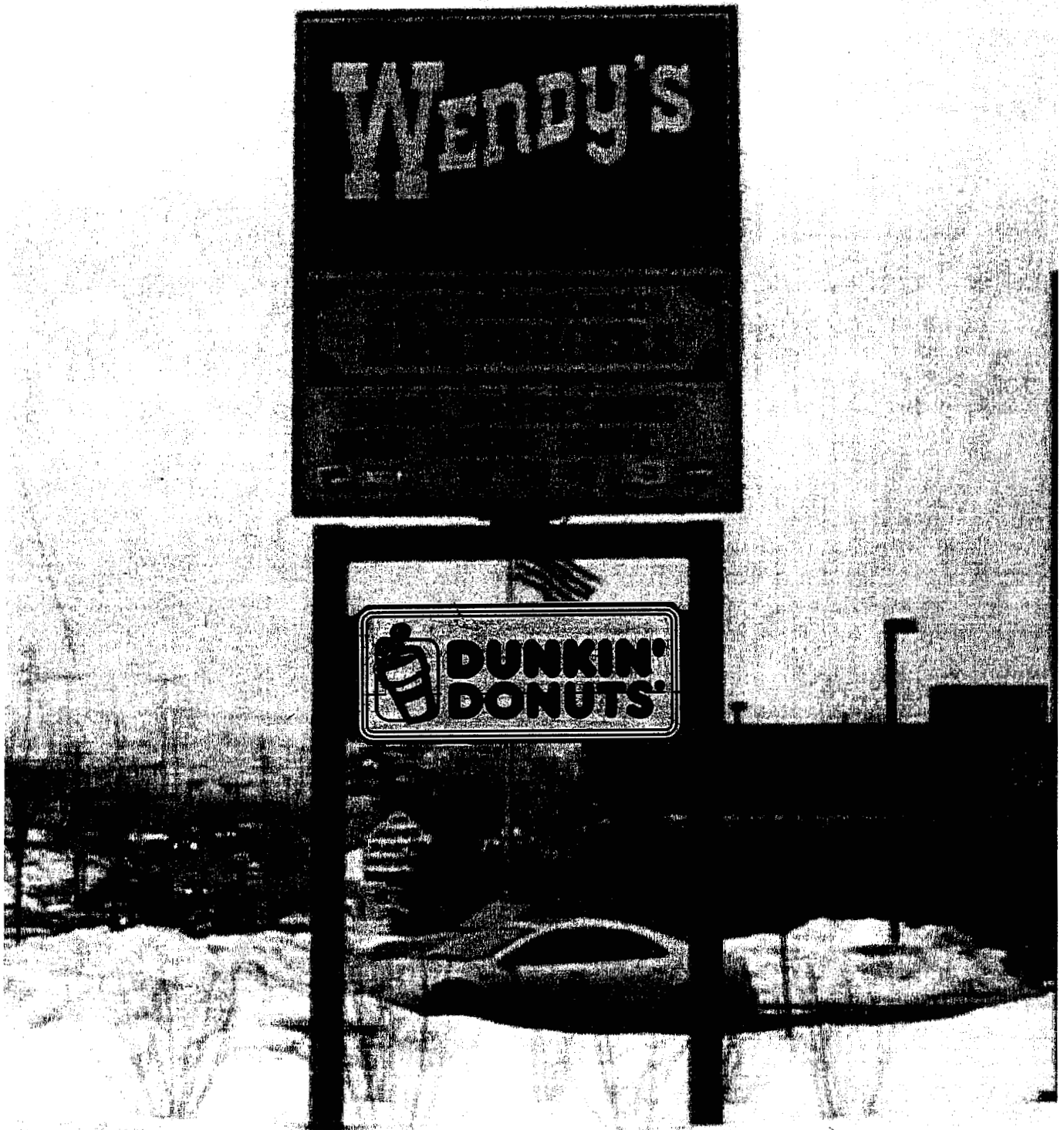
BWD



A	B	C
15 1/2"	8"	8 1/8"
394 mm	203 mm	206 mm

BWU



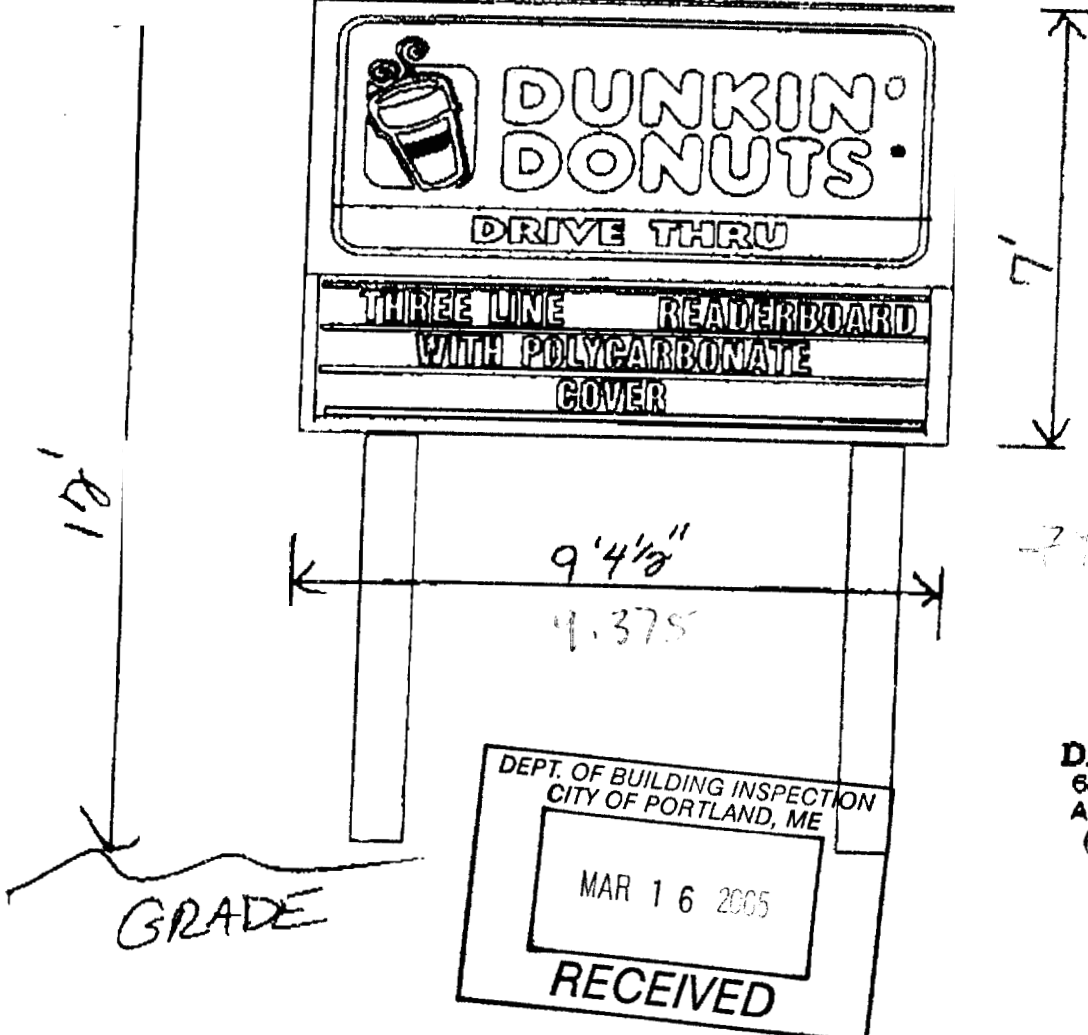
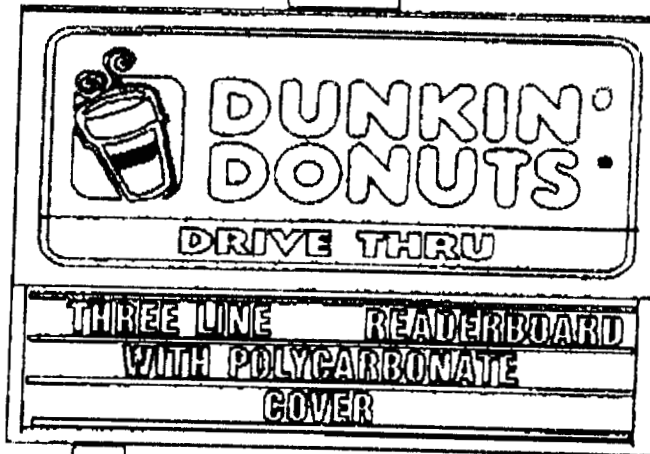
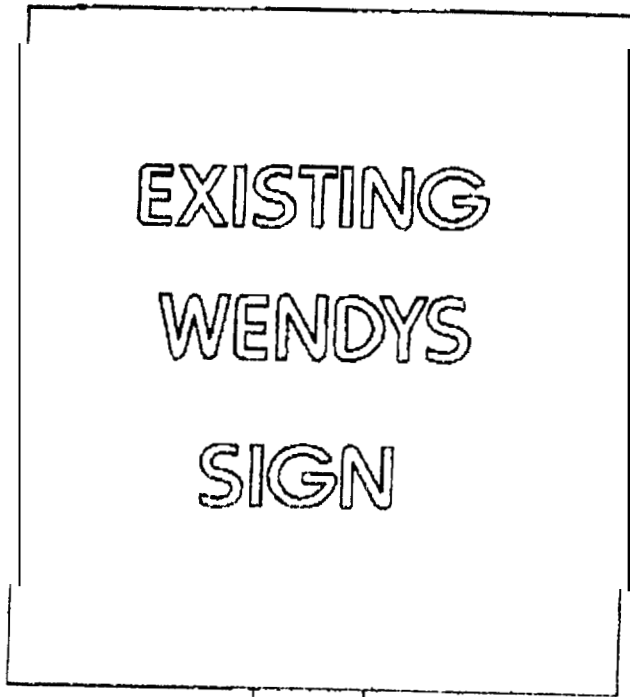


Existing Wendy's sign with proposed Dunkin' Donuts addition,

B-4

Marge

off Premise
Sign



77 657625

DASCO SIGNS
 654 County Road
 Acton, ME 04001
 (207) 477-2956

DEPT. OF BUILDING INSPECTION
 CITY OF PORTLAND, ME

MAR 16 2005

RECEIVED

*kin' Don'ts
1 90' frontage*

Table 2.10

Commercial Corridor (B-4) Zone - Single Tenant Lots



Freestanding Signs

	Facing street frontage < 200'	Facing street frontage ≥ 200'
Area	65 sq. ft.	100 sq. ft.
Height	25 ft.	35 ft.
Setback	5 ft.	same
# permitted per lot	1 (a)	same

(a) If lot fronts on more than one street, one freestanding sign is permitted for each additional frontage, provided such signs are not readily concurrently visible.

Building Signs

	Bldg. face < 150 linear feet
Maximum cumulative area of all building signs	na
Sq. ft. per linear ft. of bldg. facade on which sign will be placed - or -	2 sq. ft. - or -
Maximum % of wall area on which sign(s) is(are) to be placed	6%
# bldg. signs permitted per lot	1 per bldg. facade facing an abutting street and 1 additional

showing 3 per bldg = 2 sq ft

CITY OF PORTLAND, MAINE
PLANNING BOARD

Lee Lowry III, Chair
Kevin Beal, Vice Chair
John Anton
Michael Patterson
David Silk
Janice E. Tevanian
Shalom Odokara

September 8, 2005

Kimco Realty, LLC
65 Gray Street
Falmouth, ME 04105

RE: Dunkin Donuts, 597 Warren Avenue
ID #2004-0118, CBL #314-A-007

Dear Sir:

On March 22, 2005, the Portland Planning Board voted 6-1 (Anton opposed) to approve the site plan for the Dunkin Donuts project located at 597 Warren Avenue. The approval was granted for the project with the following conditions:

- i. That the applicant revise the plans based on the Traffic Engineer's memo dated March 14, 2005 and that the applicant contribute \$30,000 prior to issuance of a building permit to the improvements at the Riverside Street/Warren Avenue. If the proposed MDOT/City improvements do not occur within 5 years from the contribution date, then the money shall be returned to the applicant.
- ii. That the City Arborist review and approve the landscaping plan prior to issuance of a building permit.
- iii. That a photometric plan be submitted for review and approval by staff, prior to issuance of a building permit.
- iv. That a revised site plan for the Wendy's property shall be submitted to staff for review and approval prior to issuance of a building permit.
- v. That the site plans be revised to reflect the crosswalks and caution sign, subject to the review and approval of the traffic engineer.
- vi. No building permit shall be issued until the applicant receives the required wetlands permit from DEP.

7. 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.

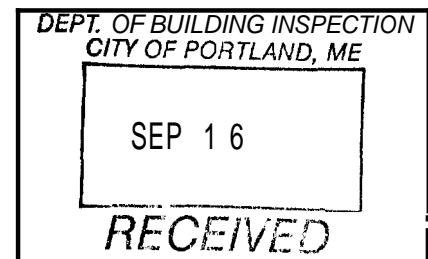
If there are any questions, please contact Kandice Talbot at 874-8901.

Sincerely



Lee Lowry III, Chair
Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager
Kandice Talbot, Planner
Jay Reynolds, Development Review Coordinator
— Marge Schmuckal, Zoning Administrator
Inspections Division
Michael Bobinsky, Public Works Director
Traffic Division
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Greg Cass, Fire Prevention
Assessor's Office
Approval Letter File



**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
Zoning Copy**

2004-0118

Application I. D. Number

611512004

Application Date

Dunkin Donuts

Project Name/Description

Kirnco Realty, LLC

Applicant

65 Gray Street, Fairnouth, ME 04105

Applicant's Mailing Address

Consultant/Agent

Applicant Ph: (207) 797-7600 Applicant Fax: (207) 797-4300

Applicant or Agent Daytime Telephone, Fax

597 - 597 Warren Ave , Portland, Maine

Address of Proposed Site

314 A007001

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking Lot Other (specify) _____

2,432 s.f. **B4**

Proposed Building square Feet or # of Units Acreage of Site Zoning

Check Review Required:

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> Site Plan
(major/minor) | <input type="checkbox"/> Subdivision
of lots _____ | <input type="checkbox"/> PAD Review | <input type="checkbox"/> 14-403 Streets Review |
| <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Shoreland | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional
Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance | <input type="checkbox"/> Other _____ | |

Fees Paid: Site Pla **\$400.00** Subdivision _____ Engineer Review _____ Date **611512004**

Zoning Approval Status:

Reviewer Marge Schmuckel - Inspections
 Denied

- Approved Approved w/Conditions
See Attached

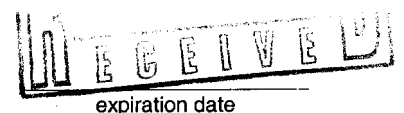
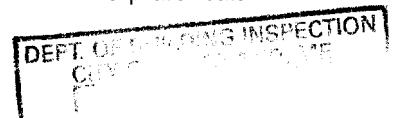
Approval Date _____ Approval Expiration _____ Extension to _____ Additional Sheets Attached

Condition Compliance _____
signature _____ date _____

Performance Guarantee Required' Not Required

* No building permit may be issued until a performance guarantee has been submitted as indicated below

<input type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
<input type="checkbox"/> inspection Fee Paid	_____	_____	
	date	amount	
<input type="checkbox"/> Building Permit Issue	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
	date	remaining balance	signature
<input type="checkbox"/> Temporary Certificate of Occupancy	_____	<input type="checkbox"/> Conditions (See Attached)	_____
	date		expiration date
<input type="checkbox"/> Final Inspection	_____	_____	
	date	signature	
<input type="checkbox"/> Certificate Of Occupancy	_____		
	date		
<input type="checkbox"/> Performance Guarantee Released	_____	_____	_____
	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date
<input type="checkbox"/> Defect Guarantee Released	_____	_____	
	date	signature	



From: Marge Schmuckal
To: Kandi Talbot
Date: Wed, Mar 16, 2005 4:28 PM
Subject: 597 Warren Ave - Dunkin' Donuts

Kandi,
I've reviewed the most recent plans submitted for final review. All B-4 zoning requirements are being met for the structure.

You also dropped off plans for signage on 3/16/05. They are not meeting the signage requirements. Currently they are showing an off premise pole sign. They are apparently proposing to share a sign with Wendy's. The City of Portland does not allow off premise signs. The proposed signage on that shared sign is just over the maximum of 65 square feet.

The B-4 zone **only** allows **one** sign per street frontage plus one extra or **two** signs. The building plans are showing three signs which is one sign over the allowable under the sign ordinance.

Marge

FROM DESIGNER: _____

DATE: _____

Job Name: _____

Address of Construction: _____

2003 International Building Code

Construction project was designed according to the building code criteria listed below:

Building Code and Year _____ Use Group Classification(s) _____

Type of Construction _____

Will the Structure have a Fire suppression system in Accordance with Section 903.3.1 of the 2003 IRC _____

Is the Structure mixed use? _____ if yes, separated or non separated (see Section 302.3) _____

Supervisory alarm system? _____ Geotechnical/Soils report required? (See Section 1802.2) _____

STRUCTURAL DESIGN CALCULATIONS

_____ Submitted for all structural members
(106.1, 106.1.1)

**DESIGN LOADS ON CONSTRUCTION DOCUMENTS
(1803)**

Uniformly distributed floor live loads (7503.11, 1807)

Floor Area Use

Loads Shown

Wind loads (1803.1.4, 1809)

_____ Design option utilized (1809.1.7, 1809.6)

_____ Basic wind speed (1809.3)

_____ Building category and wind importance
factor, I_w (Table 1804.5, 1809.5)

_____ Wind exposure category (1809.4)

_____ Internal pressure coefficient (ASCE 7)

_____ Component and cladding pressures
(1809.1.1, 1809.5.2.2)

_____ Main force wind pressures (7603.1.1,
1809.5.2.1)

Earthquake design data (1803.1.5, 1614-1623)

_____ Design option utilized (1614.1)

_____ Seismic use group ("Category")
(Table 1604.5, 1616.2)

_____ Spectral response coefficients, S_{DS} &
 S_{D1} (1615.1)

_____ Site class (1615.1.5)

_____ Live load reduction
(1803.1.1, 1807.9, 1607.10)

_____ Roof live loads (1803.1.2, 1607.11)

_____ Roof snow loads (7503.7.3, 1608)

_____ Ground snow load, P_g (1608.2)

_____ If $P_g > 10$ psf, flat-roof snow load, P_f
(1608.3)

_____ If $P_g > 10$ psf, snow exposure factor, C_e
(Table 1608.3.1)

_____ If $P_g > 10$ psf, snow load importance
factor, I_s (Table 1604.5)

_____ Roof thermal factor, C_t (Table 1608.3.2)

_____ Sloped roof snowload, P_o (1608.4)

_____ Seismic design category (1816.9)

_____ Basic seismic force-resisting system
(Table 1617.5.2)

_____ Response modification coefficient, R ,
and deflection amplification factor, C_d
(Table 1617.5.2)

_____ Analysis procedure (1616.6, 1617.5)

_____ Design base shear (1617.4, 1617.5.1)

Flood loads (1803.1.6, 1672)

_____ Flood hazard area (1612.3)

_____ Elevation of structure

Other loads

_____ Concentrated loads (1607.4)

_____ Partition loads (1607.5)

_____ Impact loads (1607.8)

_____ Misc. loads (Table 1807.8, 1607.8.1,
1607.7, 1607.12, 1607.13, 1610,
1611, 2404)