

PERMIT ISSUED

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

Permit No: 01-0638	Issue Date: JUN 12 2001	CBL: A001001 030-0001091
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Location of Construction: 68 Commercial St	Owner Name: Point East Trust	Phone: n/a
Business Name: n/a	Contractor Name: CPM Constructors	Phone: n/a
Lessee/Buyer's Name: n/a	Contractor Address: 30 Bonney Rd. Freeport	Phone: 2078650000
Past Use: Commercial: Formerly Seafood Processing and Storage.	Permit Type: Building Miscellaneous	Zone: MCE

Proposed Use: Marine & Accessory: Demo. Of wharf components installation of new pilings & Wharf Components. Call Wayne at 767-6068	Permit Fee: \$5,736.00	Cost of Work: \$952,000.00	CEO District: 1
Proposed Project Description: Demolition of Wharf Components, Installation of New Pilings & Wharf Decking.	FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	Use Group: MCE PEDESTRIAN ACTIVITIES
Signature: MUM	Signature: <i>[Signature]</i>	Signature: <i>[Signature]</i>	Signature: <i>[Signature]</i>

Permit Taken By: cih Date Applied For: 06/01/2001

Zoning Approval	
Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date: <u>OK with Wayne</u> <u>CS 6/11/01</u>	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied
1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.	Historic Preservation <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date: <u>9</u>

PERMIT ISSUED WITH REQUIREMENTS

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 _____

LAND USE - ZONING REPORT

ADDRESS: 68 Commercial Ct No DATE: 6/11/01

REASON FOR PERMIT: Demolition of Whz of Components - Drive Piles, wharf Deck

BUILDING OWNER: Pontstout Trust No C-B-L: 030-D-001

PERMIT APPLICANT: _____

APPROVED: with conditions #1, #12, #13

CONDITION(S) OF APPROVAL

1. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
2. During its existence, all aspects of the Home Occupations criteria, Section 14-410, shall be maintained.
3. All the conditions placed on the original, previously approved, permit issued on _____ are still in effect for this amendment, and/or revised permit.
4. The footprint of the existing _____ shall not be increased during maintenance reconstruction.
5. Your present structure is legally nonconforming as to setbacks. If you are to demolish this structure on your own volition, you will only have one (1) year to replace it in the same footprint (no expansions), with the same height, and the same use. Any changes to any of the above shall require that this structure met the current zoning standards.
6. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
7. Our records indicate that this property has a legal use of _____ units. Any change in this approved use shall require a separate permit application for review and approval.
8. Separate permits shall be required for any new signage.
9. Separate permits shall be required for future decks, sheds, pool(s), and/or garage.
10. This is not an approval for an additional dwelling unit. You shall not add any additional kitchen equipment including, but not limited to items such as stoves, microwaves, refrigerators, or kitchen sinks, etc. without special approvals.

11. All of the attached Floodplain forms shall be appropriately filled out, signed, and returned prior to the issuance of any certificates of occupancy.

12. Other requirements of condition: The Area And footprint of The Existing wharf shall Not be increase. Any increases shall require a separate site plan review.

13. Any uses, exterior or interior, such as outside dining, or new parking areas shall apply for separate permits and approvals

Marge Schmuckel Marge Schmuckel, Zoning Administrator

BUILDING PERMIT REPORT

No

DATE: 7 June 2001 ADDRESS: 68 Commercial ST. CBL: 030-D-001
REASON FOR PERMIT: Removal of Wood Components - Drive Piles & Roof Decking
BUILDING OWNER: Point East Trust NO

PERMIT APPLICANT: _____

CONTRACTOR: C PM Constructors

USE GROUP: U CONSTRUCTION TYPE: _____ CONSTRUCTION COST: 953,000 PERMIT FEES: 5,736.4

The City's Adopted Building Code (The BOCA National Building Code/1999 with City Amendments)
The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions shall be met: X1, #32 *38 *39 *40

1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained. (A 24 hour notice is required prior to inspection) **"ALL LOT LINES SHALL BE CLEARLY MARKED BEFORE CALLING."**
3. Foundation drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 sieve. The drain shall extend a minimum of 12 inches beyond the outside edge of the footing. The thickness shall be such that the bottom of the drain is not higher than the bottom of the base under the floor, and that the top of the drain is not less than 6 inches above the top of the footing. The top of the drain shall be covered with an approved filter membrane material. Where a drain tile or perforated pipe is used, the invert of the pipe or tile shall not be higher than the floor elevation. The top of joints or top of perforations shall be protected with an approved filter membrane material. The pipe or tile shall be placed on not less than 2" of gravel or crushed stone, and shall be covered with not less than 6" of the same material. Section 1813.5.2
4. Foundations anchors shall be a minimum of 1/2" in diameter, 7" into the foundation wall, minimum of 12" from corners of foundation and a maximum 6" O.C. between bolts. Section 2305.17
5. Waterproofing and dampproofing shall be done in accordance with Section 1813.0 of the building code.
6. Precaution must be taken to protect concrete and masonry. Concrete Sections 1908.9-19.8.10/ Masonry Sections 2111.3-2111.4.
7. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed. This is done to verify that the proper setbacks are maintained.
8. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating. Private garages attached side-by-side to rooms in the above occupancies shall be completely separated from the interior spaces and the attic area by means of 1/2 inch gypsum board or the equivalent applied to the garage side. (Chapter 4, Section 407.0 of the BOCA/1999)
9. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code. (The BOCA National Mechanical Code/1993). Chapter 12 & NFPA 211
10. Sound transmission control in residential building shall be done in accordance with Chapter 12, Section 1214.0 of the City's Building Code.
11. Guardrails & Handrails: A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level. Minimum height all Use Groups 42". In occupancies in Use Group A, B, H-4, I-1, I-2, M, R, public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect. Handrails shall be a minimum of 34" but not more than 38". Exception: Handrails that form part of a guard shall have a height not less than 36 inches (914 mm) and not more than 42 inches (1067 mm). Handrail grip size shall have a circular cross section with an outside diameter of at least 1 1/2" and not greater than 2". (Sections 1021 & 1022.0). Handrails shall be on both sides of stairway. (Section 1014.7)
12. Headroom in habitable space is a minimum of 7'6". (Section 1204.0)
13. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 1/2" maximum rise. All other Use Group minimum 11" tread, 7" maximum rise. (Section 1014.0)
14. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6'8") 1014.4
15. The Minimum required width of a corridor shall be determined by the most restrictive of the criteria under section 1011.3 but not less than 36".
16. Every sleeping room below the fourth story in buildings of Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside without the use of special knowledge or separate tools. Where windows are provided as means of egress or rescue they shall have a sill height not more than 44 inches (1118mm) above the floor. All egress or rescue windows from sleeping rooms shall have a minimum net clear opening height dimension of 24 inches (610mm). The minimum net clear opening width dimension shall be 20 inches (508mm), and a minimum net clear opening of 5.7 sq. ft. (Section 1010.4)
17. Each apartment shall have access to two (2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units. (Section 1010.1)
18. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hour, including fire doors with self closure's. (Over 3 stories in height requirements for fire rating is two (2) hours. (Section 710.0)
19. The boiler shall be protected by enclosing with (1) hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment. (Table 302.1.1)

cd/1/01

20. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the City's Building Code Chapter 9, Section 920.3.2 (BOCA National Building Code/1999), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):

- In the immediate vicinity of bedrooms
 - In all bedrooms
 - In each story within a dwelling unit, including basements
21. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type. (Section 921.0)
22. The Fire Alarm System shall be installed and maintained to NFPA #72 Standard.
23. The Sprinkler System shall be installed and maintained to NFPA #13 Standard.
24. All exit signs, lights and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023.0 & 1024.0 of the City's Building Code. (The BOCA National Building Code/1999)
25. Section 25 - 135 of the Municipal Code for the City of Portland states, "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".
26. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification the Division of Inspection Services.

27. Ventilation and access shall meet the requirements of Chapter 12 Sections 1210.0 and 1211.0 of the City's Building Code. (Crawl spaces & attics).

28. All electrical, plumbing and HVAC permits must be obtained by Master Licensed holders of their trade. No closing in of walls until all electrical (min. 72 hours notice) and plumbing inspections have been done.

29. All requirements must be met before a final Certificate of Occupancy is issued.

30. All building elements shall meet the fastening schedule as per Table 2305.2 of the City's Building Code (The BOCA National Building Code/1996).

31. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical code (The BOCA National Mechanical Code/1993). (Chapter M-16)

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

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

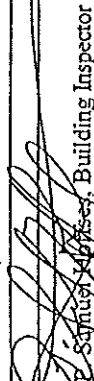
34. Bridging shall comply with Section 2305.16.

35. Glass and glazing shall meet the requirements of Chapter 24 of the building code. (Safety Glazing Section 2406.0)

36. All flashing shall comply with Section 1406.3.10.

37. All signage shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code/1999).

**38. All signs permit is for foundation piles and what connects
to special inspections shall be done on this project as per Section
1705.0 of the Bldg. Code. All reports shall be copied to this office
Car's bt Sam Hoffes
*39. Concrete-filled steel pipe and tube piles shall comply with Section
1819.0 of the Bldg. Code.*


Samuel Dwyer, Building Inspector

Cc: L. McDougall, PFD
Marge Schmuclak, Zoning Administrator
Michael Nugent, Inspection Service Manager

PSH 10/1000

** This permit is herewith issued, on the basis of plans submitted and conditions placed on these plans, any deviations shall require a separate approval.

*** THIS PERMIT HAS BEEN ISSUED WITH THE UNDERSTANDING THAT ALL THE CONDITIONS OF THE APPROVAL SHALL BE COMPLETED. THEREFORE, BEFORE THE WORK IS COMPLETED A REVISED PLAN OR STATEMENT FROM THE PERMIT HOLDER SHALL BE SUBMITTED TO THIS OFFICE SHOWING OR EXPLAINING THAT THE CONDITIONS HAVE BEEN MET. IF THIS REQUIREMENT IS NOT RECEIVED YOUR CERTIFICATE OF OCCUPANCY SHALL BE WITHHELD. (You Shall Call for Inspections)

**** ALL PLANS THAT REQUIRE A PROFESSIONAL DESIGNER'S SEAL, (AS PER SECTION 114.0 OF THE BUILDING CODE) SHALL ALSO BE PRESENTED TO THIS DIVISION ON AUTO CAD L.T. 2000, DXF FORMAT OR EQUIVALENT.

***** CERTIFICATE OF OCCUPANCY FEE \$50.00

THIS IS NOT A PERMIT/CONSTRUCTION CANNOT COMMENCE UNTIL THE PERMIT IS ISSUED

All Purpose Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: Southeastern end of Custom House Wharf, Portland		
Total Square Footage of Proposed Structure Reconstructed Wharf: 8872+/- (157'x56'+/-)	Square Footage of Lot Entire Wharf - 146,186	
Tax Assessor's Chart, Block & Lot Number Chart# 30 Block# A Lot# 1-2	Owner: The Proprietors of Custom House Wharf YES	Telephone#: 207-871-1001 (Kenneth Macgowan)
Lessee/Buyer's Name (If Applicable) N/A	Owner's/Purchaser/Lessee Address: 5 Eastern Promenade Portland, ME 04101 YES	Cost Of Work \$ 952,000 Fee: \$ 5736
Current use: VACANT SPACE (FORMERLY SEAFOOD PROCESSING & STORAGE)		
If the location is currently vacant, what was prior use: SEAFOOD PROCESSING & STORAGE Approximately how long has it been vacant: REMOVAL OF PRIOR STRUCTURE COMMENCED 1999, FINAL DEMOLITION OF REMAINING COMPONENTS IS ONGOING.		
Proposed use: MARINE & ACCESSORY - SEE PLANNING BOARD SITE PLAN APPROVAL DATED 10/5/1999.		
Project description: PERMIT IS SOUGHT FOR PHASE I OF BUILDING PROJECT: DEMOLITION OF WHARF COMPONENTS, INSTALLATION OF NEW PILING & WHARF DECKING. FULL CONSTRUCTION EXPECTED TO COMMENCE IN SEPTEMBER, 2001.		
Contractor's Name, Address & Telephone: CPM CONSTRUCTORS 207-865-0000 30 BONNEY ST. FREEPORT, ME 04032		
Applicants Name, Address & Telephone: THE PROPRIETORS OF CUSTOM HOUSE WHARF 207-871-1001 5 EASTERN PROMENADE PORTLAND, ME 04101 YES (K. Macgowan)		
Who should we contact when the permit is ready: WAYNE DUFFETT (TEC ASSOCIATES); F. JAY MEYER, ESQ. Telephone: 207-767-6068 (DUFFETT); 207-774-7600 (MEYER)		
If you would like the permit mailed, what mailing address should we use: KENNETH MACGOWAN MAINE HOME MORTGAGE 5 MILK ST. PORTLAND, ME 04101 YES		
Rec'd By:		

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

PERMIT ISSUED
 JUN 1 2 2001
 CITY OF PORTLAND

This is to certify that Proprietors Of Custom Houses P.M. Constructors has permission to Demolition of Wharf Components, Installation of New Piling and Wharf Decking. No. 86 Commercial St. AT 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 inspection must be given and written permission procured before this building or part thereof is altered or otherwise closed-in. NO OTHER NOTICES REQUIRED.

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

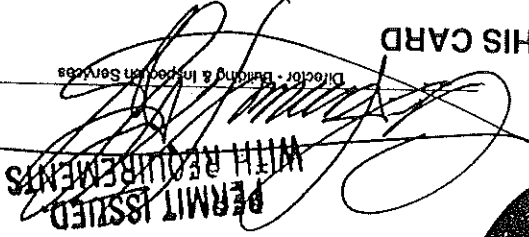
OTHER REQUIRED APPROVALS

Fire Dept.
 Health Dept.
 Appeal Board
 Other Department Name

PENALTY FOR REMOVING THIS CARD

Director - Building & Inspection Services

PERMIT ISSUED WITH REQUIREMENTS



Please Read Application And Notes, If Any, Attached

THOMPSON, BULL, FUREY, BASS & MACCOLL, LLC, P.A.

COUNSELORS AT LAW

NICHOLAS BULL
MARK G. FUREY *
JOHN R. BASS, II
EDWARD S. MACCOLL
F. JAY MEYER **

BENJAMIN THOMPSON
RETIRED

120 EXCHANGE STREET
6th Floor

P.O. BOX 447

PORTLAND, MAINE 04112-0447

* ALSO ADMITTED IN MA
** ALSO ADMITTED IN VT

BENJAMIN THOMPSON
(1857-1918)
NATHAN W. THOMPSON
(1895-1969)

TELEPHONE (207) 774-7600
FACSIMILE (207) 772-1039

PETER P. MICHAUD
OF COUNSEL

June 25, 2001

Michael Nugent
Inspection Services
City of Portland
389 Congress Street
Portland, ME 04101

RE: Building Permit No. 01-0638, CBL No. 030 A001001

Dear Mr. Nugent:

Recently, Inspection Services issued Building Permit No. 01-0638, for the demolition of wharf components and installation of new pilings and wharf decking at Custom House Wharf in Portland. Unfortunately, due to a mistake concerning the owner's identity and address, the original Building Permit was initially mailed to an incorrect address. It also appears that the erroneous owner's identity and address may have been entered into your data base; therefore, I am writing to request the correction of your records for this Building Permit.

Enclosed please find a copy of the Building Permit Application filed by my client, The Proprietors of Custom House Wharf. I have highlighted the portions of that Application detailing the owner's correct name and address.

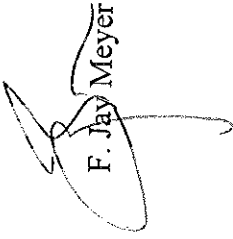
I am also enclosing a copy of the Building Permit which your office issued, with attachments. In those materials, I have highlighted incorrect entries with respect to the property owner and the owner's address.

I would greatly appreciate it if you would arrange for the correction of your office's records with respect to this permit. In my experience, once such errors are entered into a computer system, they have a tendency to be repeated and perpetuated.

Michael Nugent
June 25, 2001
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Thank you for your attention to this matter. If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Jay Meyer". The signature is written in a cursive style with a large, sweeping initial "F" and a long, horizontal tail stroke extending to the right.

FJM/d
enclosures
cc: Kenneth Macgowan (w/encs)