

**City of Portland, Maine - Building or Use Permit Application**

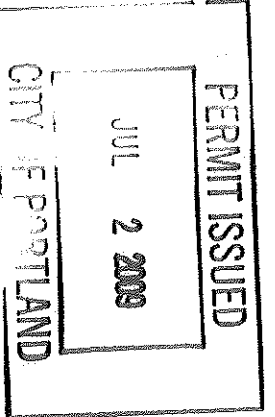
389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No:	09-0680	Issue Date:	7/2/09	CBL:	037 H013001
Location of Construction:	504 CONGRESS ST	Owner Name:	KAPLAN 504 LLC	Owner Address:	49 OCEAN AVE
Business Name:		Contractor Name:	Project Resources, Inc / Dale Akele	Contractor Address:	PO Box 661 Yarmouth
Lessee/Buyer's Name:		Phone:		Permit Type:	Demolitions - Interior
					Zone:
Past Use:	Restaurant/bar - Bingas Wings Restaurant	Proposed Use:	Restaurant/bar - Bingas Wings Restaurant - Interior Demolition to Prepare for Interior Fit-up for new Restaurant	Permit Fee:	\$30.00
				Cost of Work:	\$9,000.00
				GEO District:	1
				FIRE DEPT:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied
				INSPECTION:	Use Group: A-2 Type: I/B
				Signature:	<i>[Signature]</i>
				Signature:	<i>[Signature]</i>
				Action:	<input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
				Signature:	
				Date:	

Proposed Project Description:  
Bingas Wings Restaurant - Interior Demolition to Prepare for Interior Fit-up for new Restaurant

Permit Taken By: *[Blank]*  
Date Applied For: 07/01/2009

- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
- Building permits do not include plumbing, septic or electrical work.
- Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.



Special Zone or Reviews	Zoning Appeal	Historic Preservation
<input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan <input type="checkbox"/> Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/>	<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	<input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
Date: <i>7/2/09</i>	Date: <i>7/2/09</i>	Date: <i>7/2/09</i>

**Zoning Approval**

**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
<i>[Signature]</i>			
RESPONSIBLE PERSON IN CHARGE OF WORK	TITLE	DATE	PHONE

**BUILDING PERMIT INSPECTION PROCEDURES**

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

to schedule your inspections as agreed upon  
Permits expire in 6 months, if the project is not started or ceases for 6 months.

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

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

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

Final inspection required at completion of work.

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

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

**CERTIFICATE OF OCCUPANCIES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED.**

  
\_\_\_\_\_  
Signature of Applicant/Designee

7/2/07  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Inspections Official

\_\_\_\_\_  
Date

**City of Portland, Maine - Building or Use Permit**

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

Permit No:	09-0680	Date Applied For:	07/01/2009	CBL:	037 H013001
------------	---------	-------------------	------------	------	-------------

Location of Construction:	504 CONGRESS ST	Owner Name:	KAPLAN 504 LLC	Owner Address:	49 OCEAN AVE	Phone:	914-261-4440
Business Name:		Contractor Name:	Project Resources, Inc. / Dale Akele	Contractor Address:	PO Box 661 Yarmouth	Phone	(207) 831-1180
Lessee/Buyer's Name		Phone:		Permit Type:	Demolitions - Interior		

Proposed Use:	Restaurant/bar - Bingas Wingas Restaurant - Interior Demolition to Prepare for Interior Fit-up for new Restaurant	Proposed Project Description:	Bingas Wingas Restaurant - Interior Demolition to Prepare for Interior Fit-up for new Restaurant
---------------	---	-------------------------------	--

Dept: Zoning      Status: Approved      Reviewer: Chris Hanson      Approval Date: 07/02/2009  
 Note: See permit #09-0658      Ok to Issue:

Dept: Building      Status: Approved with Conditions      Reviewer: Chris Hanson      Approval Date: 07/02/2009  
 Note:      Ok to Issue:

1) Demolition permits are valid for a period of 30 days from the date of issuance. A written request must be submitted and granted for an extension to this time period.     

2) Demolition permit only. No other construction activities allowed.

3) Separate permits are required for any electrical, plumbing, sprinkler, fire alarm or HVAC or exhaust systems. Separate plans may need to be submitted for approval as a part of this process.

4) Separate Permits shall be required for any new signage.

5) ANY exterior work requires separate review and approval thru Historic Preservation

6) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.

# DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

## BUILDING INSPECTION

### PERMIT

Please Read  
Application And  
Notes, If Any,  
Attached

Permit Number: 090680

This is to certify that KAPLAN 504 LLC/Project Resources, Inc. 1031Akeley

has permission to Bingas Wings Restaurant - Interior Demolition to Prepare for Interior Fit-up for new Restaurant

AT 504 CONGRESS ST CPB 037 H013001

*Denevsky*  
Denevsky only

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

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and written permission procured before this building or part thereof is lathed or otherwise closed-in. 24 HOURS NOTICE IS REQUIRED.

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

**PERMIT ISSUED**  
OTHER REQUIRED APPROVALS

Fire Dept.	
Health Dept.	
Appeal Board	JUL 2 2009
Other	

Department Number  
**CITY OF PORTLAND**  
PENALTY FOR REMOVING THIS CARD

*[Signature]*  
Director - Building & Inspection Services



# Demolition of a Structure Permit Application

DATE: 7-1-09

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.


6002 1 70P  
CITY OF PORTLAND, ME

Location/Address of Construction: <b>77 Free St / 504 Congress</b>		NEIGHBORHOOD: <b>CONGRESS</b>	
Total Square Footage of Proposed Structure <b>13350</b>	1st & Basement	Square Footage of Lot <b>.341 ac</b>	<b>14853 B</b>
Tax Assessor's Chart, Block & Lot: Chart# <b>037</b> Block# <b>H</b> Lot# <b>013</b>	Owner: <b>Keplin Sod, LLC</b> <b>Brasfield, LLC</b> <b>774 4492</b>	Applicant name, address & telephone: <b>RLS Std:um, LLC</b> <b>Po Box 10417</b> <b>Portland ME 04104</b>	Telephone: <b>914 261 4440</b> <b>Alec Appen</b>
Lessee/Buyer's Name (If Applicable)		Cost Of Work: \$ <b>9,000</b>	
Current legal use: (i.e. garage, warehouse) If vacant, what was the previous use? How long has it been vacant? Project description:		Fee: \$ <b>300</b>	
<b>assembly A-2</b> <b>interior renovation, no change of use</b>			
Contractor's name, address & telephone: <b>owner representative</b>			
Who should we contact when the permit is ready: <b>Project Resources Inc; PO Box 461 Yarmouth ME 04096</b>			
Mailing address: <b>same</b> Telephone: <b>207 831-1180</b>			

Please submit all of the information outlined in the Demolition call list. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at [www.portlandmaine.gov](http://www.portlandmaine.gov), or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of applicant:  Date: **7-1-09**

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



# Demolition Call List & Requirements

Site Address: 77 Free / 504 Congress

(Owner) Kaplan Sod LLC

Structure Type: IRB

Contractor: Owners Rep  
Project Resources Inc

## Utility Approvals

Number

Contact Name/Date

Central Maine Power

1-800-750-4000

Northern Utilities

797-8002 ext 6241

Portland Water District *no comment*

761-8310

Dig Safe

1-888-344-7233

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

DPW / Traffic Division (L. Cole)

874-8891

DPW / Sealed Drain Permit (C. Merritt)

874-8822

~~Historic Preservation~~

~~874-8726~~

Fire Dispatcher

874-8576

DEP - Environmental (Augusta)

287-2651

## Additional Requirements

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

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

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

Demo / Reno Clerk  
US EPA Region 1 (SEA)  
JFK Federal Building  
Boston, MA 02203

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

Signed: DEB

Date: 7-1-09

For more information or to download this form and other permit applications visit the Inspections Division on our website at [www.portlandmaine.gov](http://www.portlandmaine.gov)

Building Inspections Division • 380 Congress Street • Portland, Maine 04101 • (207) 874-8703 • FACSIMILE (207) 874-8716 • TTY (207) 874-8936

### **What is asbestos?**

Asbestos is a general term for several kinds of natural mineral fibers that have been used to strengthen and fireproof materials for nearly 4,000 years. The fibers are recovered from asbestos ore mined primarily in Canada, Russia, and South Africa. In addition to being good insulators, asbestos fibers are strong, flexible, fireproof, and very resistant to chemical attack.

### **What products contain asbestos?**

Asbestos is found in a wide a variety of products. It has been used to manufacture nearly 3,500 products such as pipe insulation, boiler covering, sprayed-on acoustical plaster, vinyl floor products, rigid siding, cement pipe, gaskets, paints, paper, textiles, and friction materials like disc brakes. Buildings constructed before 1980 are very likely to contain some asbestos products.

### **Is asbestos a health or environmental problem?**

The presence of asbestos in such a wide variety of consumer products means that most Americans have been exposed, over time, to this mineral to one degree or another.

For the vast majority of Americans who have never worked with asbestos, the exposure received in their lifetime should have no significant health effects. However, for those exposed to large amounts of asbestos for significant periods of time, there may be serious health consequences.

Prolonged high exposure to asbestos fibers has been shown to cause asbestosis (lung scarring), lung cancer, mesothelioma, and several internal cancers such as cancers of the stomach and larynx. People who have been exposed to asbestos who also smoke have a much greater chance of disease than nonsmokers.

### **Is all asbestos potentially dangerous?**

Asbestos products are potentially dangerous if they release asbestos fibers to the air where the fibers can enter the body through the lungs.

Friable asbestos, such as pipe and boiler covering and spray-on insulation, is the asbestos of primary concern. It easily releases asbestos fibers into the air when crushed, handled or disturbed. Asbestos that is in good condition or in a form that does not easily release fibers is much less of a hazard. This means that well-maintained asbestos or asbestos tightly bound into materials like vinyl or cement is much less likely to release asbestos fibers.

### **What are the laws regarding asbestos?**

In Maine, the asbestos regulations apply to any work that impacts greater than 3 square feet or 3 linear feet of asbestos. The Maine "Asbestos Management Regulations" require that the Department be notified prior to removal or repair of asbestos that companies performing inspection, monitoring, design, training, asbestos analysis or abatement be licensed with the Department, and that certain work practices be followed to protect employees and the public. Also, individuals working for the licensed companies must be trained and certified with the Department.

Engineering controls, such as polyethylene "containments", negative pressure ventilation, and wet methods, are basic requirements in the asbestos regulations of both the Maine DEP and the U.S. Occupational Safety and Health Administration (OSHA). Engineering controls minimize the potential for asbestos fiber release in and out of the asbestos work area. The importance of utilizing proper engineering controls on an asbestos project can not be overemphasized.

Maximum allowable employee exposures are regulated by OSHA and personal protective equipment (suits, respirators, etc.) and hygiene standards are prescribed. Protective equipment is to be used only in conjunction with engineering controls and not as a "stand-alone" defense against inhalation of asbestos fibers.

### **Who regulates asbestos?**

Several state and federal agencies regulate asbestos in Maine including:

- Maine Department of Environmental Protection (DEP): Primary asbestos contact in Maine. Responsibilities include regulating licensing, notification, training, storage, transportation, disposal and work practices for removal, inspection, design, monitoring, and analysis of asbestos. Telephone number: 287-2651.

**Pre-Abatement Requirements:**

**A. Renovation and Demolition Inspections:** Prior to conducting a renovation or demolition activity that impacts any building material likely to contain asbestos (such as those used in roofing, flooring, siding, ceiling, and wall systems) or any component likely to contain asbestos (such as heating, ventilation, air conditioning, and plumbing systems), the owner or operator must have an inspection conducted for the presence of asbestos-containing materials. In lieu of inspection, the owner or operator may presume that building materials and components contain asbestos that requires that these materials be abated in accordance with these rules.

A DEP-certified Asbestos Inspector must perform the inspection. The inspection must identify all asbestos-containing materials that could be impacted during the renovation or demolition activity, must be completed prior to submission of notification to the Department, must be in writing, and must be on-site and made immediately available to the Department upon request.

Residential dwellings constructed before 1981 that consist of two (2) to four (4) units must be evaluated for building materials and components that are likely to contain asbestos. This evaluation may be performed by a DEP-certified Asbestos Inspector or by a person familiar with asbestos-containing building materials. If building materials and/or components likely to contain asbestos are found, these must be removed in accordance with these regulations prior to demolition except as allowed in section 7.B of this rule or must be tested by a DEP-certified Asbestos Inspector to demonstrate that they are not ACM.

Single family residences, and residences constructed after 1980 that consist of two (2) to four (4) units, are exempt from the inspection provisions of this section.

Specific building materials that do not require inspection, sampling, and analysis for asbestos include: wood, fiberglass, glass, plastic, metal, laminates, and gypsum board when joint compound was used only as a filler and not as a layered component, and exterior caulking and glazings. Also, building materials do not need to be inspected when written documents exist confirming that no asbestos was used in the materials that will be impacted, or that the materials were previously inspected by a DEP-certified Asbestos Inspector and affirmatively determined through sampling and analysis to not be ACM.

**NOTE:** To maintain compliance with Maine law, if more than 3 square feet or 3 linear feet of ACM is present, this ACM must be removed prior to the demolition, except that intact packing, gaskets, roofing, and flooring may be left in place when the demolition is performed by large equipment in accordance with these rules. Homeowners are encouraged to conduct a walk through of their single family homes to identify suspect asbestos-containing materials, such as thermal system insulation, ceiling tile, exterior cementitious siding, rigid panels, and resilient floor covering, and hire a consultant or contractor if suspect materials are observed. The Department can provide, upon request, more information regarding common asbestos-containing materials in buildings.





**MORRISSEY  
ENVIRONMENTAL**  
Serving New England Since 1985

# PROPOSAL

P. O. Box 1568, Lewiston, Maine 04241-1568  
Tel: 207-783-4260 Fax: 207-786-5575

Date: 06-30-09

Submitted to: **GW Stadium LLC**  
Greg's Properties, LLC  
P. O. Box 10417  
Portland, ME 04101

Tel: 207-831-1180  
Email: 207-846-8981

Project: **Boiler Demo**  
Location: **The Stadium Restaurant,  
Portland, Maine**

c.c.:

We hereby submit specifications and estimates for supplying labor, material and equipment required to perform asbestos abatement services at 77 Free Street in Portland, Maine.

Work performed to include the removal of approximately 135 sq. ft. of asbestos containing surfacing material from boiler and 40 l.f. of asbestos containing pipe insulation.

After surfacing material has been removed from boiler, Morrissey will dismantle boiler sections and fine clean ribs. The cleaned boiler sections will remain in boiler room for disposal by others.

Removal will be done utilizing negative pressure enclosure.

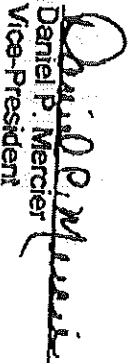
Owner to provide power and water for contractor use.

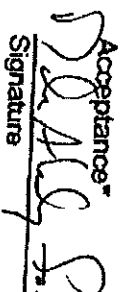
Cost for the project will be as follows:

**Nine Thousand Six Hundred Five Dollars.....\$ 9,605.00**

This price includes cost of independent hygienist to conduct final visual evaluation and final air clearance sampling.

All work shall be performed in accordance with applicable DEP/NESHAPS and OSHA regulations. Asbestos containing materials will be disposed of at a licensed landfill. Air sample results and disposal receipts will be forwarded to you after project completion.

  
Daniel P. Mercier  
Vice-President

Acceptance\*  
  
Signature  
Date 7-1-09

\* Proposal subject to revocation if not accepted within 30 days.  
White - Customer Copy  
Yellow - Acceptance Copy

Terms Net (10) Days  
Pink - File Copy

P.O. Box 661, Yarmouth, ME 04096  
Phone 207-846-8875  
Fax 207-846-8981

**Project Resources,  
Inc.**

# Fax

To: Chris Hanson From: Dale Akeley

Fax: 874-8716 Pages: 2

Phone: \_\_\_\_\_ Date: 7-1-09

Re: 77 Free / Sold Congress CC:

- Urgent
- For Review
- Please Comment
- Please Reply
- Please Recycle

Chris, This is what we have for statement at the portion of the building associated with our work. I do not have access to or know of any other issues.

Thank!

Dale Akeley  
cell 831-1180