



Planning & Urban Development Department

Jeff Levine, AICP, Director

Marge Schmuckal, Zoning Administrator

May 8, 2014

Jacquelyn M. Kurz
Pierce Atwood, LLP
Merrill's Wharf
254 Commercial Street
Portland, Maine 04101

RE: East Bayside Studios, LLC – 170 Anderson Street.-Map 10, Block E, lot 2, (the "Property")

Dear Ms. Kurz,

I am in receipt of your request for a determination letter concerning the Property. The Property is located in the I-Lb Industrial Zone. In this zone, warehouses (limited to 10,000 square feet in total building area) and back office uses are listed permitted uses.

To the best of my knowledge the Property, as developed, appears to conform with all land use and development restrictions contained in these ordinances, including all applicable building, land use and subdivision regulations. To the best of my knowledge all appropriate and required City permits, licenses, and approvals have been provided for the current use and development of the Property. I am unaware of any pending or contemplated land use or zoning actions with respect to the Property, nor am I aware of any notices of violation having been issued by our office in connection with the Property.

If you have any questions regarding this matter please do not hesitate to contact me at (207) 874-8695. I will fax over a copy of this letter to (207) 791-1350 and put the original letter in the mail.

Very truly yours,

A handwritten signature in black ink that reads "Marge Schmuckal".

Marge Schmuckal
Zoning Administrator
City of Portland, Maine

JACQUELYN M. KURZ

Merrill's Wharf
254 Commercial Street
Portland, ME 04101

P 207.791.1366
F 207.791.1350
jkurz@pierceatwood.com
pierceatwood.com

Admitted in: ME

April 23, 2014

VIA HAND DELIVERY

Ms. Marge Schmuckal
Zoning Administrator/City of Portland
Portland City Hall
389 Congress Street
Portland, Maine 04101

Re: East Bayside Studios, LLC - 170 Anderson St., Map 10, Block E, Lot 2

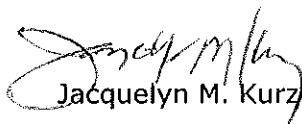
Dear Ms. Schmuckal:

East Bayside Studios, LLC is planning to acquire property located at 170 Anderson St. in the City of Portland, more particularly identified on Map 10, Block E, as Lot 2 (the "Property"). The Property is located in the I-Lb Industrial Zone. In this zone, warehouses and back office uses are permitted uses.

Based on our recent review of the City's ordinances, the Property, as developed, appears to conform with all land use and development restrictions contained in these ordinances, including all applicable building, land use and subdivision regulations. We would appreciate your confirmation that all appropriate and required City permits, licenses, and approvals have been provided for the current use and development of the Property. We are unaware of any pending or contemplated land use or zoning actions with respect to the Property, nor are we aware of any notices of violation having been issued by your office in connection with the Property.

We ask that you confirm our understanding by signing at the bottom of this letter and returning it to us via facsimile at (207) 791-1350. Please send us the original by regular mail. Of course, if you have any questions, or require additional information, please do not hesitate to call me. Thank you in advance for your time and assistance.

Sincerely,



Jacquelyn M. Kurz

Seen and agreed to:

**Zoning Administrator For
The City Of Portland**

Date

930298

Permit # _____ City of Portland BUILDING PERMIT APPLICATION For \$70 Zone _____ Map # _____ Lot# _____
Please fill out any part which applies to job. Proper plans must accompany form.

Owner: Southern Maine Distributors - 781-3130
 Address: 170 Anderson St- Ptd, ME 04101
 LOCATION OF CONSTRUCTION 170 Anderson St,
 Contractor: _____ Sub: _____
 Address: _____ Phone # _____
 Est. Construction Cost: 10,000; Proposed Use: wholesale/retail
 Past Use: wholesale
 # of Existing Res. Units _____ # of New Res. Units _____
 Building Dimensions L _____ W _____ Total Sq Ft _____
 # Stories _____ # Basements _____ Lot Size _____
 Is Proposed Use: Seasonal _____ Condominium _____ Conversion _____
 Explain Conversion Change of Use - from wholesale to

For Official Use Only
 Date: 4/15/93 Subdivision: _____
 Issue Fee Landed: _____ Name: APR 27 1993
 Risk Code: _____ Lot: _____
 Time Landed: _____ Ownership: _____ Public _____ Private _____
 Estimated Cost: 10,000

Zoning: _____
 Review Requests:
 Zoning Board Approval: Yes _____ No _____ Date: _____
 Planning Board Approval: Yes _____ No _____ Date: _____
 Conditional Use: _____ Variance: _____ Site Plan _____ Subdivision _____
 Shoreland Zoning: Yes _____ No _____ Floodplain: Yes _____ No _____
 Special Exemption: _____
 Other: WDP 4-26-93

Foundation: wholesale/retail - with intr renovations

- Type of Soil: _____
- Set Backs - Front _____ Rear _____ Side(s) _____
- Footings Size: _____
- Foundation Size: _____
- Other: _____

- Floor:
- Sills Size: _____ Sills must be anchored.
 - Girder Size: _____
 - Lally Column Spacing: _____ Size: _____
 - Joist Size: _____ Spacing 16" O.C.
 - Bridging Type: _____ Size: _____
 - Floor Sheathing Type: _____ Size: _____
 - Other Material: _____

- Exterior Walls:
- Studding Size _____ Spacing _____
 - No. windows _____
 - No. Doors _____
 - Header Sizes _____ Span(s) _____
 - Bracing: Yes _____ No _____
 - Corner Posts Size _____
 - Insulation Type _____ Size _____
 - Sheathing Type _____ Size _____
 - Siding Type _____
 - Masonry Materials _____
 - Metal Materials _____

- Interior Walls:
- Studding Size _____ Spacing _____
 - Header Size _____ Span(s) _____
 - Wall Covering Type _____
 - Fire Wall if required _____
 - Other Materials _____

- Ceiling:
- Ceiling Joist Size _____ Spacing _____ **HISTORIC PRESERVATION**
 - Ceiling Sheathing Size _____ Spacing _____ **Health hazard per Leadpaint.**
 - Type Ceiling: _____ **Does not require permit.**
 - Insulation Type _____ Size _____ **Requires Review.**
 - Ceiling Height: _____

- Roof:
- Truss or Rafter Size _____ Span _____ **ASBESTOS**
 - Sheathing Type _____ Size _____ **Requires Review**
 - Roof Covering Type _____

Chimneys: _____
 Type: _____ Number of Fire Places: _____ Date: 4/15/93

Heating: _____
 Type of Heat: _____

Electrical: _____
 Service Entrance Size: _____ Smoke Detector Required: Yes _____ No _____

- Plumbing:
1. Removal of soil test if required: Yes _____ No _____
 2. No. of Tubs or Showers _____
 3. No. of Flushes _____
 4. No. of Lavatories _____
 5. No. of Other Fixtures _____

- Swimming Pools:
- Type: _____
 - Pool Size: _____ x _____ Square Footage _____
 - Must conform to National Electrical Code and State Law.

Permit Received: **PERMIT ISSUED**
 Signature of Applicant: [Signature] Date: 4/15/93

Signature of CEO: [Signature] Date: _____

Inspection Dates: _____

PERMIT ISSUED WITH LETTER

010 E 002

CITY OF PORTLAND, MAINE
Department of Building Inspection



Certificate of Occupancy

LOCATION 170 Anderson St.

Issued to Southern Maine Distributors

Date of Issue 12/3/93

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 93/0298, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

change of use - from wholesale to
wholesale/retail

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

12/6/93 *Mark Seay*
(Date) Inspector

[Signature]
Inspector of Buildings

H. S. M. S.

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 170 Anderson St.

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This is to certify that the building, premises, or part thereof, at the above location, built or altered or changed as to use under Building Permit No 93/0298, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

change of use - from wholesale to
wholesale/retail

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

[Signature]
(Date) Inspector

[Signature]
Inspector of Buildings

Notice: This certificate does not insure the building or premises, and might be withdrawn if not
renewed in order when property changes hands. Copy will be furnished to owner of record by this office.

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

Location of Construction: 170 Anderson St		Owner: KIN Properties		Phone:	Permit No: 941052
Owner Address:		Lease/Buyer's Name: So. Maine Distributors		Phone: 170 Anderson St	Business Name: Ptd., ME 04101
Contractor Name: self - leasee		Address:		Phone: 828-5777	Permit Issued: PERMIT ISSUED SEP 30 1994
Past Use: Comm/Distribution	Proposed Use: Same w/loading dock	COST OF WORK: \$ 400.	PERMIT FEE: \$ 25.06		CITY OF PORTLAND 14-436
Proposed Project Description: Construct loading dock as per plans		FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:		
		Signature: <i>[Signature]</i>		Signature:	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		Zoning Approval:	
		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied		Special Code or Reviews: <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan map <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>	
		Signature:		Date:	

1. This permit application doesn't 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.

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 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 provisions of the code(s) applicable to such permit

Signature of Applicant: *[Signature]* Richard Yerra
 ADDRESS: _____ DATE: 28 Sept 94 PHONE: _____

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE: _____ PHONE: _____
 White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

Zoning Appeal

Variance
 Miscellaneous
 Conditional Use
 Interpretation
 Approved
 Denied

Historic Preservation
 Not in District or Landmark
 Does Not Require Review
 Requires Review

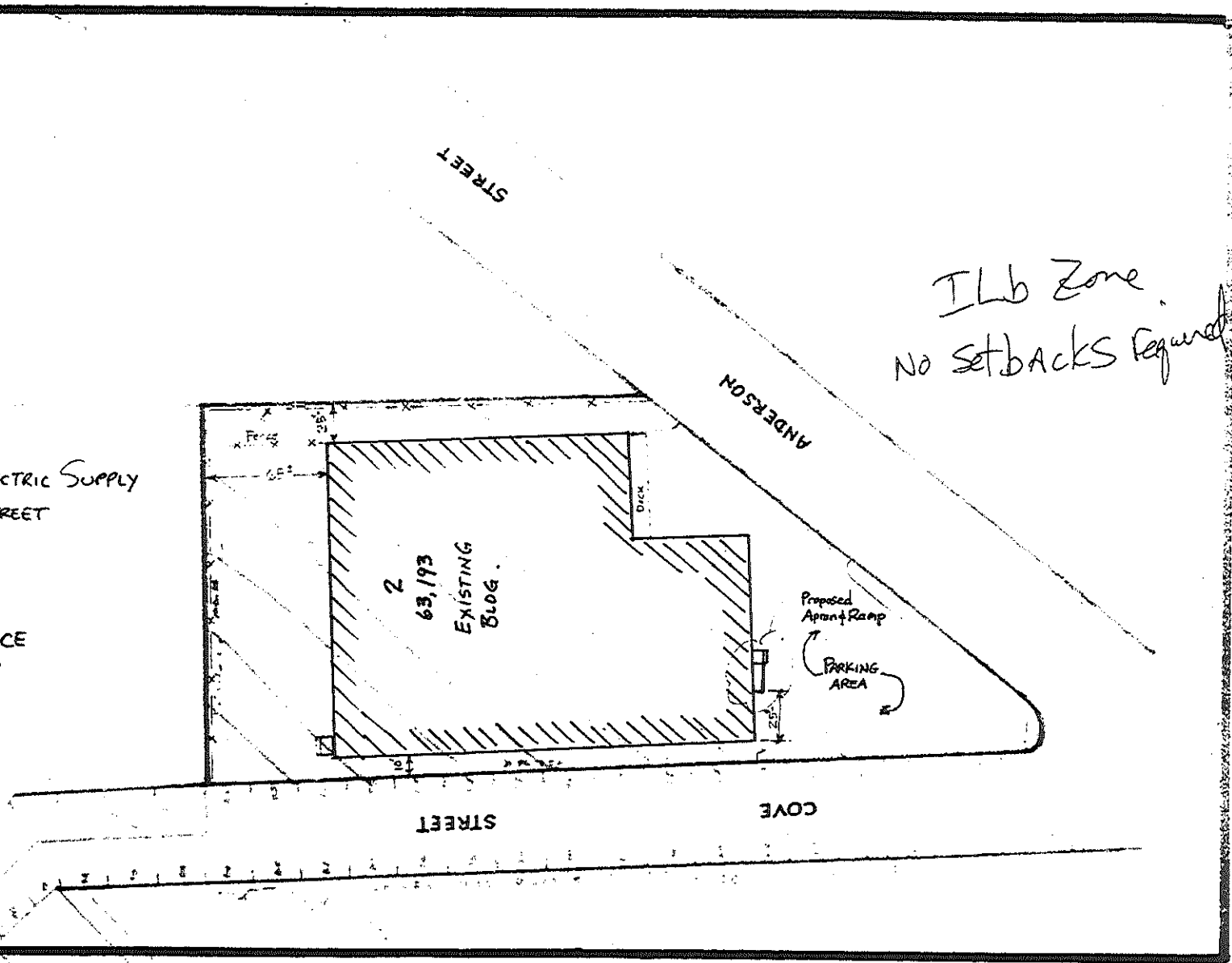
Action:
 Approved
 Approved with Conditions
 Denied

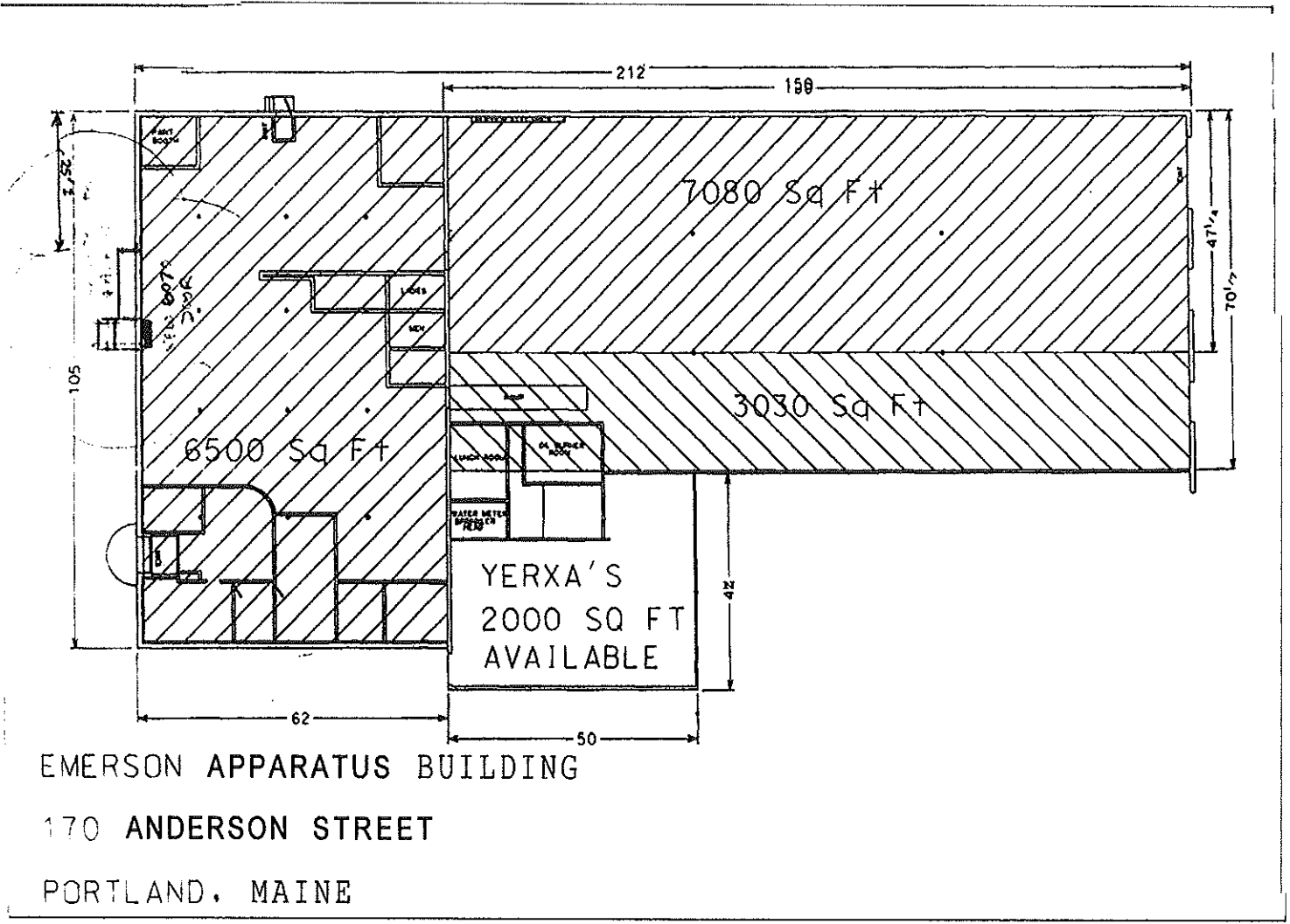
Date: 9/29/94
[Signature]

CEO DISTRICT 1
M.A. Leano

INDEPENDENT ELECTRIC SUPPLY
170 ANDERSON STREET
PORTLAND, MAINE

PROPOSED ENTRANCE
SCALE: 1" = 50'-0"





EMERSON APPARATUS BUILDING

170 ANDERSON STREET

PORTLAND, MAINE

Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8186

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This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information:



Services

- [Applications](#)
- [Doing Business](#)
- [Maps](#)
- [Tax Relief](#)
- [Tax Roll](#)
- [Q & A](#)

CBL 010 E002001
Land Use Type WAREHOUSE & STORAGE
 Verify legal use with Inspections Division
Property Location 170 ANDERSON ST
Owner Information BAY COVE LLC
 80 EXCHANGE ST # 30
 PORTLAND ME 04101
Book and Page 28658/280
Legal Description 10-E-2
 ANDERSON ST 160-182
 COVE ST 51-85
 63193SF
Acres 1.4507

[browse city services a-z](#)

[browse facts and links a-z](#)



Best viewed at 800x600, with Internet Explorer

Current Assessed Valuation:

TAX ACCT NO.	836	OWNER OF RECORD AS OF APRIL 2013
LAND VALUE	\$221,100.00	BAY COVE LLC
BUILDING VALUE	\$1,120,400.00	72 COMMERCIAL ST STE 1
NET TAXABLE - REAL ESTATE	\$1,341,500.00	PORTLAND ME 04101
TAX AMOUNT	\$26,038.52	

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).

Building Information:

Building 1
Year Built 1950
Style/Structure Type WAREHOUSE
Units 1
Building Num/Name 1 - EMRSN APPRTS/GE
 SPLV
Square Feet 34164

[View Sketch](#) [View Map](#) [View Picture](#)

Exterior/Interior Information:

Building 1
Levels 01/01
Size 6448
Use WAREHOUSE
Height 14
Walls BRICK/STONE
Heating UNIT HEAT
A/C NONE

Building 1
Levels 01/01
Size 27716
Use WAREHOUSE
Height 16

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

RECEIPT OF FEES

Application No: 0000-1895	Applicant: BAY COVE LLC
Project Name: 170 ANDERSON ST	Location: 170 ANDERSON ST
CBL: 010 E002001	Application Type: Determination Letter
Invoice Date: 04/24/2014	

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due	Payment Due Date
\$0.00		\$0.00		\$150.00		\$150.00		\$0.00	On Receipt

Previous Balance **\$0.00**

Fee Description	Qty	Fee/Deposit Charge
Zoning Determinations	1	\$150.00
		<u>\$150.00</u>
Total Current Fees:	+	\$150.00
Total Current Payments:	-	\$150.00
Amount Due Now:		\$0.00

CBL 010 E002001
Bill to: BAY COVE LLC
 80 EXCHANGE ST # 30
 PORTLAND, ME 04101

Application No: 0000-1895
Invoice Date: 04/24/2014
Invoice No: 44818
Total Amt Due: \$0.00
Payment Amount:

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.
 Check the status of your permit or schedule an inspection on-line at <http://www.portlandmaine.gov/planning/permitstatus.asp>