



Planning & Urban Development Department

Jeff Levine, AICP, Director
Marge Schmuckal, Zoning Administrator
May 28, 2013

Ladder Capital Finance LLC
345 Park Avenue
8th floor
New York, New York 10154

RE: 229-231 Congress St & 1-5 Montgomery Street – 013-G-008 (the "Premises") -

To Whom It May Concern:

I am in receipt of your request for a determination letter concerning the Premises. The undersigned hereby certifies with respect to the property owned by NAA Properties, LLC and described on the attached **EXHIBIT A**:

- 1. The applicable zoning code affecting the Premises is as follows: Land Use Zoning Ordinance of the City of Portland revised through January 15, 2014.
- 2. The Premises are located in the following zoning district(s) under the Land Use Zoning Ordinance: Community Business – B-2b, and the use of the property as a property as a retail use on the 1st floor of 229 Congress Street and four (4) residential dwelling units in #1 Montgomery Street and four (4) residential dwelling units in #3 Montgomery Street and four (4) residential dwelling units in #5 Montgomery Street are all permitted uses thereunder.
- 3. There are no known, unresolved, violations or pending enforcement actions with respect to any applicable zoning codes, City ordinances, or building, environmental, or energy codes, ordinances, or regulations except as follows:

NONE UNRESOLVED VIOLATIONS EXIST

If there are any known, unresolved violations, the following summarizes the nature of such violations:

- 4. The following permits and approvals, as applicable to the Premises, have been obtained:

- (a) Certificate of Occupancy
- (b) [N/A] Conditional Use Approval
- (c) [N/A] Site Plan Approval
- (d) [N/A] Subdivision Approval
- (e) Building Permit
- (f) [N/A] Condominium Conversion
- (g) [N/A] Other:



Planning & Urban Development Department

Jeff Levine, AICP, Director

Marge Schmuckal, Zoning Administrator

PG 2

If you have any questions regarding this matter, please do not hesitate to contact me at (207) 874-8695.

Very truly yours,

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

Marge Schmuckal
Zoning Administrator
City of Portland, Maine

enclosures



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 2-3 Montgomery Street

sued to James E. Harmon

Date of Issue December 4, 1989

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. , 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

Dwelling Units Only

Apartments 1-2
" 1-3
" 1-4
" 3-2
" 3-3
" 3-4

Limiting Conditions:

This certificate supersedes certificate issued

Approved:

12-4-89
(Date)

Arthur Odde
Inspector

Robert J. [Signature]
Inspector of Buildings

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.

SB
P 22



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 5 Montgomery Street

Issued to James Harmon

Date of Issue 2 January 1990

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. 89/2071 , 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

Dwelling Units only

1st Floor Front
1st Floor Rear
#2, #3 & #4

Limiting Conditions:

This certificate supersedes certificate issued

Approved:

1-2-90
(Date)

Arthur Odde
Inspector

Robert J. [Signature]
Inspector of Buildings

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.

SB

APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP 01404

NOV 6 1984

B.O.C.A. TYPE OF CONSTRUCTION

ZONING LOCATION PORTLAND, MAINE NOV 5 1984

CITY OF PORTLAND

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION .. 5. Montgomery St. Fire District #1 , #2
1. Owner's name and address Steven Dodd Telephone
2. Lessee's name and address Manager of Dwelling, Alpha Management Corp. Telephone ... 883-5505
3. Contractor's name and address P. R. Bldrs P. O. Box 3 Telephone
..... same name same phone Scarborough No. of sheets
Proposed use of building multi family No. families (2)
Last use No. families
Material No. stories Heat Style of roof Roofing
Other buildings on same lot
Estimated contractual cost \$ 10,000 Appeal Fees \$

FIELD INSPECTOR—Mr. @ 775-5451

Base Fee 60.00
Late Fee
TOTAL \$ 60.00

To return to original condition after fire no alterations or structural changes 3rd & 4th floors only involved in fire

Stamp of Special Conditions

send permit to # 3 04074

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

DETAILS OF NEW WORK

Is any plumbing involved in this work? NO Is any electrical work involved in this work? YES
Is connection to be made to public sewer? If not, what is proposed for sewage?
Has septic tank notice been sent? Form notice sent?
Height average grade to top of plate Height average grade to highest point of roof
Size, front depth No. stories solid or filled land? earth or rock?
Material of foundation Thickness, top bottom cellar
Kind of roof Rise per foot Roof covering
No. of chimneys Material of chimneys of lining Kind of heat fuel
Framing Lumber—Kind Dressed or full size? Corner posts Sills
Size Girder Columns under girders Size Max. on centers
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor 2nd 3rd roof
On centers: 1st floor 2nd 3rd roof
Maximum span: 1st floor 2nd 3rd roof
If one story building with masonry walls, thickness of walls? height?

IF A GARAGE

No. cars now accommodated on same lot to be accommodated number commercial cars to be accommodated
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

APPROVALS BY: DATE
BUILDING INSPECTION—PLAN EXAMINER
ZONING:
BUILDING CODE:
Fire Dept.:
Health Dept.:
Others:

MISCELLANEOUS

Will work require disturbing of any tree on a public street?
Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed?

Signature of Applicant [Signature] Phone # same
Type Name of above Robin, Ruppert, Ruotolo 1 2 3 4
for P. R. Bldrs Other

City of Portland, Maine - Building or Use Permit Application

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

Job No: 2012-04-3688-HVAC	Date Applied: 4/4/2012	CBL: 013- G-008-001	
Location of Construction: 229 CONGRESS ST	Owner Name: NAA PROPERTIES INC.	Owner Address: PO BOX 3793 PORTLAND, ME 04104	Phone:
Business Name:	Contractor Name: William W Gelinas @ Gelinas HVAC Services, Inc	Contractor Address: 2 WASHINGTON AVE SCARBOROUGH MAINE 04074	Phone: (207) 885-0771
Lessee/Buyer's Name:	Phone:	Permit Type: HVAC	Zone: B-2b
Past Use: 1 st floor (229 Congress) is retail; 1 Montgomery is 4 DU; 3 Montgomery is 4 DU; 5 Montgomery is 4 DU	Proposed Use: Same: 1 st floor retail with 12 DU - To install Fujitsu mini-ductless heating systems in the retail use	Cost of Work: \$9,000.00	CEO District:
		Fire Dept: <input checked="" type="checkbox"/> Approved w/ conditions <input type="checkbox"/> Denied <input type="checkbox"/> N/A	Inspection: Use Group: Type: HVAC
		Signature: <i>Capt. Pelone 4/12/12</i>	Signature: <i>[Signature]</i>
Proposed Project Description: install two fujitsu wall units	Pedestrian Activities District (P.A.D.)		
Permit Taken By: Gayle	Zoning Approval		

Special Zone or Reviews	Zoning Appeal	Historic Preservation
<input type="checkbox"/> Shoreland <input type="checkbox"/> Wetlands <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan <input type="checkbox"/> Maj <input type="checkbox"/> Min <input type="checkbox"/> MM Date: <i>OK [Signature]</i> <i>4/4/12</i>	<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:	<input checked="" type="checkbox"/> Not in Dist 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>[Signature]</i>

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



Drummond & Drummond

A Limited Liability Partnership
Counselors at Law

One Monument Way, Portland, Maine 04101

5/12/14

Horace W. Horton
Arthur A. Cerullo
Andrew W. Sparks
Paul E. Peck
Philip P. Mancini
Jennifer I. Richard
Douglas F. Britton
Scott E. Herrick
Christopher E. Pazar
Stephanie N. Strouse
Nathaniel R. Huckel-Bauer
Julia G. Pitney
Heather T. Whiting
Andrew P. Pierce
Nicholas R. Loukes
Patrick C. Lever
Michael T. Devine

Wadleigh B. Drummond
1885-1979
Josiah H. Drummond
1914-1991

Of Counsel
Robert C. Santomenna
Paul M. Koziell

Telephone: 207-774-0317
Facsimile: 207-761-4690
bdauphinee@ddl.com

May 9, 2014

Marge Schmuckal
Zoning Administrator
City of Portland
389 Congress Street, Room 315
Portland, Maine 04101

Re: Zoning Determination letters - 41 Chestnut Street, 812 Congress Street, 191-193
Congress Street, 7 Montgomery Street, 229 Congress Street and 28 High Street

Dear Marge,

Per my email request on May 9, 2014, please find enclosed a check made payable to the City of Portland, ME in the amount of \$900.00 for Zoning Determination letters with respect to the six properties referenced above.

Please do not hesitate to contact our office if you should have any questions. Thank you for your assistance on this matter.

Best regards,

Bobbi Dauphinee
Legal Assistant

Encl.

CITY OF PORTLAND ZONING LETTER

May 9, 2014

Ladder Capital Finance LLC
345 Park Avenue
8th Floor
New York, New York 10154

Re: 229 Congress Street, Portland, Maine; Tax Map 13-G-8 (the "Premises")

To Whom It May Concern:

The undersigned hereby certifies with respect to the above-referenced property owned by NAA Properties LLC and described on the attached Exhibit A:

1. The applicable zoning code affecting the Premises is as follows:

Zoning Ordinance of the City of Portland revised through August 15, 2013.

2. The Premises are located in the following zoning district under the Zoning Ordinance: Business Community – B2b, and the current use of the property as an apartment and retail building is a permitted use thereunder.

3. There are no known, unresolved, violations or pending enforcement actions with respect to any applicable zoning codes, City ordinances, or building, environmental, or energy codes, ordinances, or regulations except as follows:

NONE UNRESOLVED VIOLATIONS EXIST

If there are any known, unresolved violations, the following summarizes the nature of such violations:

4. The following permits and approvals, as applicable to the Premises, have been obtained:

- (a) Certificate of Occupancy.
- (b) Conditional Use Approval.
- (c) Site Plan Approval.
- (d) Subdivision Approval.
- (e) Building Permit.
- (f) Condominium Conversion.
- (g) Other: _____

Signature of Authorized Person: _____

Typed or Printed Name of Signatory: Marge Schmuckal

Title of Signatory: Zoning Administrator


City or Other Governmental Agency: City of Portland, Zoning Administration

Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

[City](#) [Home](#) [Departments](#) [City Council](#) [E-Services](#) [Calendar](#) [Jobs](#)

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:

<p>Services</p> <p>Applications</p> <p>Doing Business</p> <p>Maps</p> <p>Tax Relief</p> <p>Tax Roll</p> <p>Q & A</p> <hr/> <p>browse city services a-z</p> <hr/> <p>browse facts and links a-z</p> <hr/>  <p>Best viewed at 800x600, with Internet Explorer</p>	CBL	013 G008001
	Land Use Type	MULTI-USE COMMERCIAL
	Verify legal use with Inspections Division	
	Property Location	229 CONGRESS ST
	Owner Information	NAA PROPERTIES LLC PO BOX 3793 PORTLAND ME 04104
	Book and Page	27612/110
	Legal Description	13-G-8 CONGRESS ST 229-231 MONTGOMERY ST 1-5 4090 SF
	Acres	0.0939

Current Assessed Valuation:

TAX ACCT NO.	1418	OWNER OF RECORD AS OF APRIL 2013
LAND VALUE	\$120,300.00	NAA PROPERTIES LLC
BUILDING VALUE	\$402,300.00	PO BOX 3793
NET TAXABLE - REAL ESTATE	\$522,600.00	PORTLAND ME 04104
TAX AMOUNT	\$10,143.68	

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

Building Information:

	Building 1
Year Built	1900
Style/Structure Type	APARTMENT - GARDEN
# Units	11
Building Num/Name	1 - VACANT
Square Feet	15507
View Sketch	View Map
	View Picture

Exterior/Interior Information:

	Building 1
Levels	B1/B1
Size	3069
Use	SUPPORT AREA
Height	6
Heating	NONE
A/C	NONE

	Building 1
Levels	01/01
Size	1596
Use	RETAIL STORE
Height	10
Walls	BRICK/STONE
Heating	HW/STEAM
A/C	NONE

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT
 389 Congress Street
 Portland, Maine 04101

RECEIPT OF FEES

Application No: 0000-1919	Applicant: NAA PROPERTIES LLC
Project Name: 229 CONGRESS ST	Location: 229 CONGRESS ST
CBL: 013 G008001	Application Type: Determination Letter
Invoice Date: 05/14/2014	

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
		\$150.00
Total Current Fees:	+	\$150.00
Total Current Payments:	-	\$150.00
Amount Due Now:		\$0.00

CBL 013 G008001
Bill to: NAA PROPERTIES LLC
 PO BOX 3793
 PORTLAND, ME 04104

Application No: 0000-1919
Invoice Date: 05/14/2014
Invoice No: 45084
Total Amt Due: \$0.00
Payment Amount: \$150.00

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>