

**NORMAN
HANSON
DETROY**

Paul F. Driscoll

Norman Hanson & DeTroy, LLC
Attorneys at Law
Two Canal Plaza
P.O. Box 4600
Portland, ME 04112-4600

T 207.774.7000
F 207.775.0806
www.nhdlaw.com
pdriscoll@nhdlaw.com

December 9, 2014

Ann Machado, Acting Zoning Administrator
City of Portland
389 Congress Street
Portland, ME 04101

RECEIVED

DEC 10 2014

Re: One India Street, Tax Map 19-B-1

Dept. of Building Inspections
City of Portland Maine

Dear Ms. Machado:

*Proposed
amend*

On behalf of LRAR LLC, we request a zoning determination for the proposed lot at One India Street containing 9,373 square feet as shown on the attached plan prepared by John W. Swan, PLS, of Owen Haskell, Inc. entitled "Amended Condominium Plat, The Longfellow, A Condominium" dated September 26, 2014. The proposed lot is part of the land depicted on City of Portland Tax Map 19-B-1 and comprises a portion of the land currently comprising the "Longfellow Condominium" (the "Condominium") as more particularly described below. The land that abuts the land currently comprising the Condominium is owned by LRAR LLC. The property is located in B-6 Eastern Waterfront Mixed Zone (Division 15.1 of the City's Land Use Ordinance). The Grand Trunk Railroad Building on the property is also located in the Portland Waterfront Historic District.

By way of background, this plan amends the Condominium Plat of the Condominium recorded in the Cumberland County Registry of Deeds in Plan Book 206, Page 618 to reduce the size of the "Condominium Parcel" shown thereon. The current parcel comprising the Condominium was originally created as part of the waterfront development project by the City of Portland and State of Maine as shown on the subdivision plan recorded in the Registry of Deeds in Plan Book 193, Page 187. This latter plan was later amended as part of the Ocean Gateway project by the City of Portland as shown on the subdivision plan recorded in the Registry of Deeds in Plan Book 204, Page 622. All plans are enclosed with this letter.

The Condominium consists of two Units within the former Grand Trunk Railroad Building and was created by LRAR LLC pursuant to a Declaration of Condominium dated September 29, 2006, and recorded in the Cumberland County Registry of Deeds in

Ann Machado, Acting Zoning Administrator
City of Portland
December 9, 2014
Page 2

Book 24419, Page 122 (the "Declaration"). On September 29, 2006, LRAR LLC conveyed Unit No. 1 in the Condominium to GSB Corporation by Quitclaim Deed with Covenant of that date recorded in the Registry of Deeds in Book 24420, Page 30. The sole remaining Unit in the Condominium, Unit No. 2, is under contract for sale by LRAR LLC to GSB Corporation.

In connection with the sale of Unit No. 2 by LRAR LLC to GSB Corporation, the parties have agreed that the area of the Condominium will be reduced in size to conform to the lot depicted on the enclosed Amended Condominium Plat dated September 26, 2014 prepared by Owen Haskell, Inc. LRAR LLC will continue to own the adjacent (non-condominium) land shown on this plan, including the portion of the parcel currently comprising the Condominium that will be removed from the Condominium as a result of the reduction in the size of said parcel. In connection with the sale of Unit No. 2 in the Condominium to GSB Corporation, LRAR LLC will release all development rights reserved in the Declaration for the development of its adjacent land, including the right to declare and add new units to the Condominium on the adjacent land. GSB Corporation, an affiliate of Gorham Savings Bank, will utilize the two Units in the Condominium for all uses permitted in the Zone including, but not limited to, commercial office space. All parking associated with GSB Corporation's use of the Units will be met by either on-site parking or by leasing parking spaces in the nearby Ocean Gateway Garage or in other available parking facilities. LRAR LLC understands, however, that there is no specific minimum number of parking spaces required for the Condominium.

LRAR LLC is requesting a zoning determination that the reduction in the size of the parcel comprising the Condominium as depicted on the enclosed Amended Condominium Plat dated September 26, 2014 prepared by Owen Haskell, Inc. in connection with the proposed sale of Unit No. 2 by LRAR LLC to GSB Corporation is compliant with all City of Portland land-use ordinances, including those governing zoning and subdivision and, in particular, that LRAR LLC will not required to obtain approval from the City of Portland Planning Board for the reduction in the size of said parcel. A proposed determination letter for your consideration is also submitted with this zoning determination request. Thank you very much for your assistance.

Very truly yours,



Paul F. Driscoll

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Ann Machado, Acting Zoning Administrator
City of Portland
December 9, 2014
Page 3

cc: James M. Bradley, Esq. (w/encl.)
Paul J. Nasser, CFO and COO
Richard A. Shinay, Esq. (w/encl.)
Darya I. Haag, Esq. (w/encl.)
John W. Swan, PLS (w/out encl.)

Zoning Review One India St.

Assessors show tenancies

unit 1 GSB Corporation

unit 2 LRAR LLC declarant

total sq of building 13,395 footprint 4465

B-6

Parking 14-332.1 (h) (Zone specific off-street parking exceptions & mod. features)

governed by 14-332.2 (c) existing

proposed construction - pb determine parking

14-332.2 (d) - historic structures - no parking in excess of what served lot in March 11, 1999 shall be required ~~retained~~ - 0

- no min. lot size all requirements are being met.
- no min. street frontage.
- no min. front yard setback.
- no ^{min.} side yard setback.
- no min. rear yard "
- max lot coverage - 100%

City of Portland
Office of the Acting Zoning Administrator
389 Congress Street
Portland, Maine 04101

December ____, 2014

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Re: One India Street, Tax Map 19-B-1

Dear Mr. Driscoll:

This responds to the request made in your letter of ^{9?} December 8, 2014 on behalf of LRAR LLC for a zoning determination for the above-referenced parcel. The proposed lot at One India Street containing 9,373 square feet ~~is~~ shown on the attached plan prepared by John W. Swan, PLS, of Owen Haskell, Inc. entitled "Amended Condominium Plat, The Longfellow, A Condominium, dated September 26, 2014 and is part of the land depicted on City of Portland Tax Map 19-B-1 and comprises a portion of the land currently comprising the "Longfellow Condominium" (the "Condominium") as more particularly described below. The land that abuts the land currently comprising the Condominium is owned by LRAR LLC. The property is located in B-6 Eastern Waterfront Mixed Zone (Division 15.1 of the City's Land Use Ordinance). The Grand Trunk Railroad Building on the property is also located in the Portland Waterfront Historic District.

The Condominium" consists of two Units within the former Grand Truck Railroad Building and was created by LRAR LLC pursuant to a Declaration of Condominium dated September 29, 2006, and recorded in the Cumberland County Registry of Deeds in Book 24419, Page 122 (the "Declaration"). The September 26, 2014 Amended Condominium Plat referred to above will amend the "Condominium Parcel" shown on the Condominium Plat of the "Longfellow Condominium" recorded in the Cumberland County Registry of Deeds in Plan Book 206, Page 618 to reduce the size thereof. The lot currently comprising the Condominium was originally created as part of the waterfront development project by the City of Portland and State of Maine as shown on the subdivision plan recorded in the Registry of Deeds in Plan Book 193, Page 187. This latter plan was later amended as part of the Ocean Gateway project by the City of

Portland as shown on the subdivision plan recorded in the Registry of Deeds in Plan Book 204, Page 622. All plans are included in the City of Portland file record for this parcel.

On September 29, 2006, LRAR LLC conveyed Unit No. 1 in the Condominium to GSB Corporation by Quitclaim Deed with Covenant of that date recorded in the Registry of Deeds in Book 24420, Page 30. The sole remaining Unit in the Condominium, Unit No. 2, is under contract for sale by LRAR LLC to GSB Corporation. LRAR LLC has represented in your letter on its behalf of December 8, 2014 that GSB Corporation will utilize the two Units in the Condominium for all uses permitted in the Zone including, but not limited to, commercial office space. LRAR LLC will continue to own the adjacent (non-condominium) land shown on the Amended Condominium Plat referred to above, including the portion of the parcel currently comprising the Condominium that will be removed from the Condominium as a result of the reduction in the size of said parcel. LRAR LLC has further represented in your letter on its behalf of December 8, 2014 that LRAR LLC will release all development rights reserved in the Declaration for the development of its adjacent land, including the right to declare and add new units to the condominium on the adjacent land. The release of the reserved development rights will occur as part of the closing transaction on the sale by LRAR LLC to GSB Corporation. All parking associated with GSB Corporation's use of the Units will be met by either on-site parking or by leasing parking spaces in the nearby Ocean Gateway Garage or in other available parking facilities. There is, however, no specific minimum number of parking spaces required for the Condominium.

The City of Portland hereby confirms that there are no active or anticipated land-use complaints pending against the Condominium. The City further confirms that the present use of the property is in compliance with all City of Portland land-use requirements, including those relating to zoning and subdivision. The City further confirms that the proposed reduction of the size of the parcel currently comprising the Condominium to conform to the Amended Condominium Plat referred to above prepared by Owen Haskell, Inc. from the size of the parcel shown on the subdivision plan recorded in the Registry of Deeds in Plan Book 204, Page 622 does not violate any applicable zoning, subdivision or land-use requirement of the City of Portland and will remain compliant with all City of Portland land-use ordinances, including those governing zoning and subdivisions. Lastly, the City confirms that LRAR LLC is not required to obtain approval from the City of Portland Planning Board for the reduction in the size of said parcel.

This zoning determination is given on the basis of representations set forth in your letter of December 9, 2014. Nothing contained in this letter shall prevent the City of Portland from enforcing any of its land-use ordinances applicable to Condominium.

Very truly yours,

Ann Machado
Acting Zoning Administrator

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

INVOICE OF FEES

Application No: 0000-2103	Applicant: LRAR LLC
Project Name: 1 INDIA ST	Location: 1 INDIA ST
CBL: 019 B001002	Application Type: Determination Letter
Invoice Date: 12/12/2014	

pd 12/15/14

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 019 B001002	Application No: 0000-2103
Bill To: LRAR LLC	Invoice Date: 12/12/2014
1270 SOLDIERS FIELD RD	Invoice No: 47531
BOSTON, MA 02135	Total Amt Due: \$0.00
	Payment Amount: <input type="text" value="\$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/792/Permit-Status>
[Click Here to Pay On Line](#)