



# PORTLAND MAINE

*Strengthening a Remarkable City, Building a Community for Life • [www.portlandmaine.gov](http://www.portlandmaine.gov)*

Penny St. Louis Littell- Director of Planning and Urban Development  
Marge Schmuckal, Zoning Administrator

July 23, 2009

Bernstein Shur  
100 Middle Street  
PO Box 9729  
Portland, ME 04104-5029  
Attn: Susan Osborne

RE: 127 Fore Street - 020-C-009 (the "Property")- B-5b Zone - Determination Letter

Dear Ms. Osborne,

I am in receipt of your request for a determination letter concerning the Property. The Property is located within a B-5b Urban Commercial Mixed Use Zone. That zone permits breweries, included associated bottling activities.

Research of our files leads me to believe that all required permits have been applied for and approved. I am including copies of permits and a certificate of occupancy concerning the Property.

To the best of my knowledge the Property is in compliance with all applicable zoning codes, regulations and ordinances. There are no pending or contemplated legal actions concerning the Property.

Very truly yours,

Marge Schmuckal  
Zoning Administrator

Cc: file

207 774-1200 main  
207 774-1127 facsimile  
bernsteinshur.com

## BERNSTEIN SHUR

COUNSELORS AT LAW

100 Middle Street  
PO Box 9729  
Portland, ME 04104-5029

Susan Osborne  
Paralegal  
207 228-7215 direct  
sosborne@bernsteinshur.com

July 13, 2009

*Via Hand Delivery*

Marge Schmuckal  
Assistant Chief of Inspection Services  
Zoning Administrator  
Planning & Urban Development  
CITY OF PORTLAND  
389 Congress Street  
Portland, ME 04101

Re: 127 Fore Street – 20-C-9  
(127-135 Fore / 74-96 Newbury / 2-10 Mountfort / Hancock)

BSB

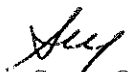
Dear Marge:

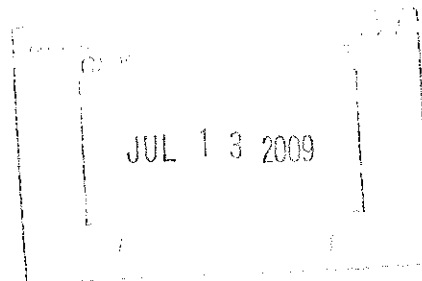
Please issue a letter confirming what zone the buildings and improvements located at 127 Fore Street and depicted on Map Tax 20, Block C, Lot 9 (the "Property") is located in and that it is in compliance with applicable codes, regulations and ordinances and also please attach all copies of Certificates of Occupancy that have been issued along with any other filings.

Enclosed please find our check in the amount of \$150 to cover the fees related to issuing this letter. Thank you very much for your assistance in this matter. Please call me if you have any questions.

Please let me know by e-mail [sosborne@bsn.com](mailto:sosborne@bsn.com) when this is ready so that I may pick it up to save mailing time.

Sincerely yours,

  
Susan Osborne  
Paralegal



**From:** Marge Schmuckal  
**To:** Susan Osborne  
**Date:** 7/23/2009 12:08:21 PM  
**Subject:** Re: Zoning Letter--Shipyard --Fore / Newbury St

Susan,

I am attaching a copy of my letter. The original with attachments will be at our front desk for pick up - Our doors close at 1:00 pm to day, but knock and tell them that you are only picking up your letter.  
Marge

>>> "Susan Osborne" <sosborne@bernsteinshur.com> 7/21/2009 2:06:30 PM >>>  
Marge: I have not heard from you-can you please let me know if (when)  
this will be ready-thank you

---

Susan Osborne

Bernstein Shur

100 Middle Street

PO Box 9729

Portland, ME 04104-5029

207 774-1200 main

207 774-1127 facsimile

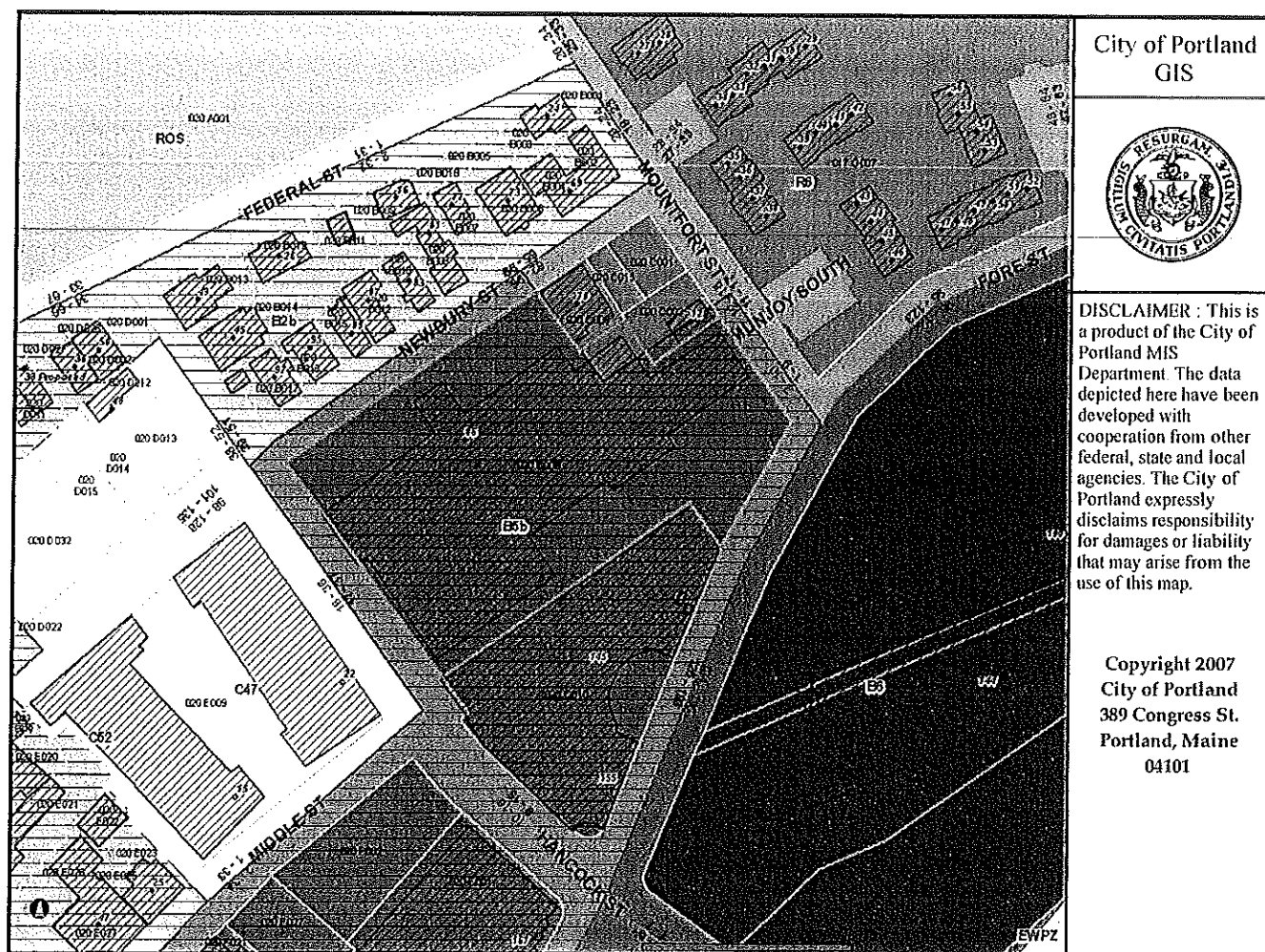
[sosborne@bernsteinshur.com](mailto:sosborne@bernsteinshur.com)

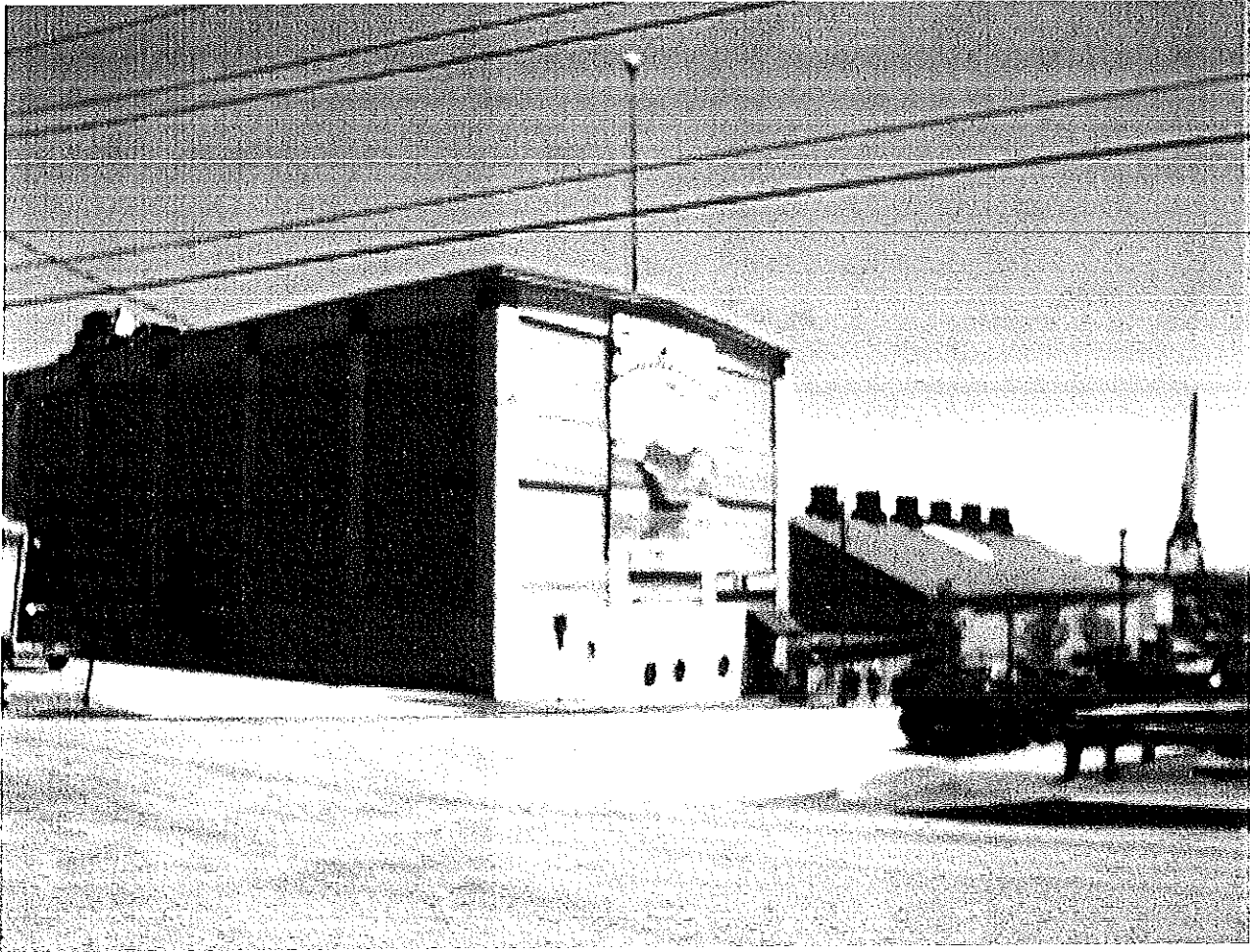
[www.bernsteinshur.com](http://www.bernsteinshur.com)

Portland, ME | Augusta, ME | Manchester, NH

Confidentiality notice: This message is intended only for the person to whom addressed in the text above and may contain privileged or confidential information. If you are not that person, any use of this message is prohibited. We request that you notify us by reply to this message, and then delete all copies of this message including any contained in your reply. Thank you.

IRS notice: Unless specifically indicated otherwise, any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (a) avoiding tax-related penalties under the Internal Revenue Code, or (b) promoting, marketing, or recommending to another party any transaction or matter addressed herein.





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

Card Number 1 of 2

Parcel ID 020 C009001

Location 127 FORE ST

Land Use MANUFACTURING & CONSTRUCTION

Owner Address SHIPYARD BREWING COMPANY LIMITED LIABILITY COMPANY  
86 NEWBURY ST  
PORTLAND ME 04102

Book/Page 12206/170

Legal 20-C-9 FORE ST 127-135  
NEWBURY ST 74-96  
MOUNTFORT ST 2-10 HANCOCK ST  
82929 SF

### Current Assessed Valuation

Land	Building	Total
\$1,325,900	\$2,957,110	\$4,283,010

### Building Information

Bldg #	Year Built	# Units	Bldg Sq. Ft.	Identical Units
1	1900	1	82306	1

Total Acres	Total Buildings	Sq. Ft.	Structure Type	Building Name
1.904	82306		MANUFACTURING	SHIPYARD BREWERY

### Exterior/Interior Information

Section	Levels	Size	Use
1	B1/B1	6086	SUPPORT AREA
1	B1/B1	2500	MULTI-USE SALES
1	01/01	15644	WAREHOUSE
1	01/01	32490	MANUFACTURING
1	02/02	3240	MULTI-USE OFFICE
1	02/03	10593	MANUFACTURING
1	M1/M1	1160	OFFICE ENCLOSURE

Height	Walls	Heating	A/C
10		NONE	NONE
10		UNIT HEAT	NONE
21	METAL-LIGHT	UNIT HEAT	NONE
14	BRK/CONC BLK	UNIT HEAT	NONE
14	CONC. BLOCK	HOT AIR	CENTRAL
14	BRK/CONC BLK	UNIT HEAT	NONE
12	ENCLOSURE	HW/STEAM	NONE
		NONE	NONE

### Building Other Features

Line	Structure Type	Identical Units
2	ELEVATOR - ELEC. FREIGHT	1
2	CANOPY - ONLY	1
3	ELEVATOR - ELEC. FREIGHT	1
3	LOADING DOCK - STEEL/CONC	1
3	SPRINKLER - DRY	1
3	LOADING DOCK - STEEL/CONC	1
3	ENCLOSED ENTRY	1

### Yard Improvements

Year Built	Structure Type	Length or Sq. Ft.	# Units
2000	ASPHALT PARKING	40000	1
1900	FENCE CHAIN	6000	1

## Sales Information

Date	Type	Price	Book/Page
11/01/1995	LAND + BIDDING		12206-170

## Picture and Sketch

<u>Picture</u>	<u>Sketch</u>	<u>Tax Map</u>
----------------	---------------	----------------

[Click here to view Tax Roll Information.](#)

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

[New Search!](#)

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

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

Permit No:	Issue Date:	CBL:
08-0068	01/29/2008	020 C009001

Location of Construction: 127 FORE ST	Owner Name: SHIPYARD BREWING COMPAN	Owner Address: 86 NEWBURY ST	Phone:
Business Name:	Contractor Name: Ledgewood Construction	Contractor Address: 27 Maine St. So. Portland	Phone: 2077671866
Lessee/Buyer's Name	Phone:	Permit Type: Demolitions - Building	Zone:

Past Use: Vacant Warehouse - Vacant Warehouse - Ledgewood & Shaw Brothers no handling the permit	Proposed Use: Vacant Land - Demolish existing Structure and all adjacent foundation, remove buried foundation from	Permit Fee: \$270.00	Cost of Work: \$25,000.00	CEO District: 1
Proposed Project Description: Demolish existing Structure and all adjacent foundation, remove buried foundation from		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	
		Signature:	Signature:	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Signature: Date:		

Permit Taken By: Idobson	Date Applied For: 01/23/2008	<b>Zoning Approval</b>		
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..		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"/>	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	Historic Preservation <input 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:	Date:	Date:

**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
---	------	-------



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

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

Permit No: 07-0718	Issue Date: 08/16/2007	CBL: 020 C009001
-----------------------	---------------------------	---------------------

Location of Construction: 127 FORE ST	Owner Name: SHIPYARD BREWING COMPAN	Owner Address: 86 NEWBURY ST	Phone:
Business Name:	Contractor Name: Irish Span	Contractor Address: 14 Clair Street Lewiston	Phone: 2072292092
Tenant/Buyer's Name	Phone:	Permit Type: Additions - Commercial	Zone:

Current Use: Commercial	Proposed Use: Commercial - New warehouse addition 9600 sq ft	Permit Fee: \$4,595.00	Cost of Work: \$450,000.00	CEO District: 1
Proposed Project Description: New warehouse addition 9600 sq ft		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	
		Signature: Signature:		
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)				
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied				
Signature: Date:				

Permit Taken By: Idobson	Date Applied For: 06/18/2007	<b>Zoning Approval</b>		
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..		<b>Special Zone or Reviews</b> <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:	<b>Zoning Appeal</b> <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:	<b>Historic Preservation</b> <input 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:

## 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

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

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

Permit No:	Issue Date:	CBL:
07-0828	07/10/2007	020 C009001

Location of Construction: 127 FORE ST	Owner Name: SHIPYARD BREWING COMPAN	Owner Address: 86 NEWBURY ST	Phone:
Business Name:	Contractor Name: Irish Span	Contractor Address: 14 Clair Street Lewiston	Phone 2072292092
Lessee/Buyer's Name	Phone:	Permit Type: Foundation-Only/Commercial	Zone:

Past Use: Commercial -New warehouse addition 9600 sq ft- Foundation ONLY permit connected tp permit #070718	Proposed Use: warehouse addition 9600 sq ft- Foundation ONLY permit connected to permit #070718	Permit Fee:	Cost of Work: \$0.00	CEO District: 1
Proposed Project Description: Foundation ONLY- warehouse addition 9600 sq ft		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: Type:
		Signature:		Signature:
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Signature: Date:		

Permit Taken By: Idobson	Date Applied For: 07/09/2007	<b>Zoning Approval</b>		
<ol style="list-style-type: none"><li>This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</li><li>Building permits do not include plumbing, septic or electrical work.</li><li>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..</li></ol>		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:	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 Date:	Historic Preservation <input 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:

**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

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

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

Permit No:	Issue Date:	CBL:
07-1414	11/29/2007	020 C009001

Location of Construction: 127 FORE ST	Owner Name: SHIPYARD BREWING COMPAN	Owner Address: 86 NEWBURY ST	Phone:
Business Name:	Contractor Name: Irishspan Industries Inc.	Contractor Address: 22 Davis Street, Suite 3 Lisbon Falls	Phone 2077610807
Lessee/Buyer's Name	Phone:	Permit Type: Additions--Commercial	Zone:

Past Use: Commercial - Shipyard Brewing	Proposed Use: Commercial - Shipyard Brewing - New proposed entrance off Newbury Street 12.5 x 36' covering stairwells	Permit Fee: \$170.00	Cost of Work: \$15,000.00	CEO District: 1
Proposed Project Description: New proposed entrance off Newbury Street 12.5 x 36' covering stairwells		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	
		Signature:	Signature:	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		
		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		
		Signature: Date:		

Permit Taken By: ldobson	Date Applied For: 11/19/2007	<b>Zoning Approval</b>		
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..		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 Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date:	<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 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:

**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



CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 127 FORE ST

CBL 020 C009001

Issued to SHIPYARD BREWING COMPANY LIMITED LIABILITY Date of Issue 11/15/2007

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. 07-0718, 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.

PORTRION OF BUILDING OR PREMISES

Entire

APPROVED OCCUPANCY

Warehouse

Use Group F2

Type 2B

IBC 2003

**Limiting Conditions:**

Temporary occupancy certificate only. Add steps and handrails at Fore Street entry door. Obtain permit to rebuild and enclose stairway at Newbury Street entry door. Expires January 1, 2008.

This certificate supersedes  
certificate issued

Approved:

11/15/2007 Michael A. Collins  
(Date) Inspector

Joanna Banks 11/20/07  
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.

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

Bernstein Shur  
100 Middle Street  
P.O. Box 9729  
Portland, Maine 04104-5029

52-7258  
2112  
NORWAY SAVINGS BANK  
PORTLAND, ME 04101

CHECK NO.: 86804

DATE	07/13/09
NET AMOUNT	\$150.00

PAY ONE HUNDRED FIFTY AND 00/100 DOLLARS

TO  
THE  
ORDER  
OF

CITY OF PORTLAND, MAINE  
P.O. BOX 544  
PORTLAND, ME 04112-0544

TWO SIGNATURES REQUIRED ON AMOUNTS OVER \$500.00

*James E. Tewhey*

SECURED  
MICROPRINTED  
SECURED

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE. RED IMAGE DISAPPEARS WITH HEAT.

⑈086804⑈ ⑆211274515⑆ 870 212587 3⑈



# CITY OF PORTLAND, MAINE

Department of Building Inspections

## Original Receipt

July 13 2009

Received from Barnett & Sons

Location of Work 197 Fore Street

Cost of Construction \$ \_\_\_\_\_ Building Fee: \_\_\_\_\_

Permit Fee \$ \_\_\_\_\_ Site Fee: \_\_\_\_\_

Certificate of Occupancy Fee: \_\_\_\_\_

Total: 150.00

Building (IL) \_\_\_\_\_ Plumbing (IS) \_\_\_\_\_ Electrical (I2) \_\_\_\_\_ Site Plan (U2) \_\_\_\_\_

Other Zoning Determination

CBL: 020 C009

Check #: 86804 Total Collected \$ 150.00

**No work is to be started until permit issued.  
Please keep original receipt for your records.**

Taken by: [Signature]

WHITE - Applicant's Copy  
YELLOW - Office Copy  
PINK - Permit Copy