

# PORTLAND) MARIE.

Strengthening a Remarkable City, Building a Community for Life . www.portlandmaine.gov

Greg Mitchell - Acting Director of Planning and Urban Development Marge Schmuckal, Zoning Administrator

November 17, 2011

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

RE: 127 Fore Street – 20-C-9 – Shipyard Brewing Co. (the "Property) B-5b Zone

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. The B-5b zone permits breweries, including associated bottling and warehouse 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

attachments

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

October 27, 2011

Via Hand Delivery

Marge Schmuckal Assistant Chief of Inspection Services

**Zoning Administrator** 

Planning & Urban Development

CITY OF PORTLAND 389 Congress Street

Portland, ME 04101

DEPT. OF L CITY CO. OCT 2 8 2011

Re:

127 Fore Street / 20-C-9 / Property of Shipyard Brewing 184 Commercial / 31-J-30-31-32 / Property of GEF LLC 47 India Street / 20-E-26-27 / Property of India & Middle LLC

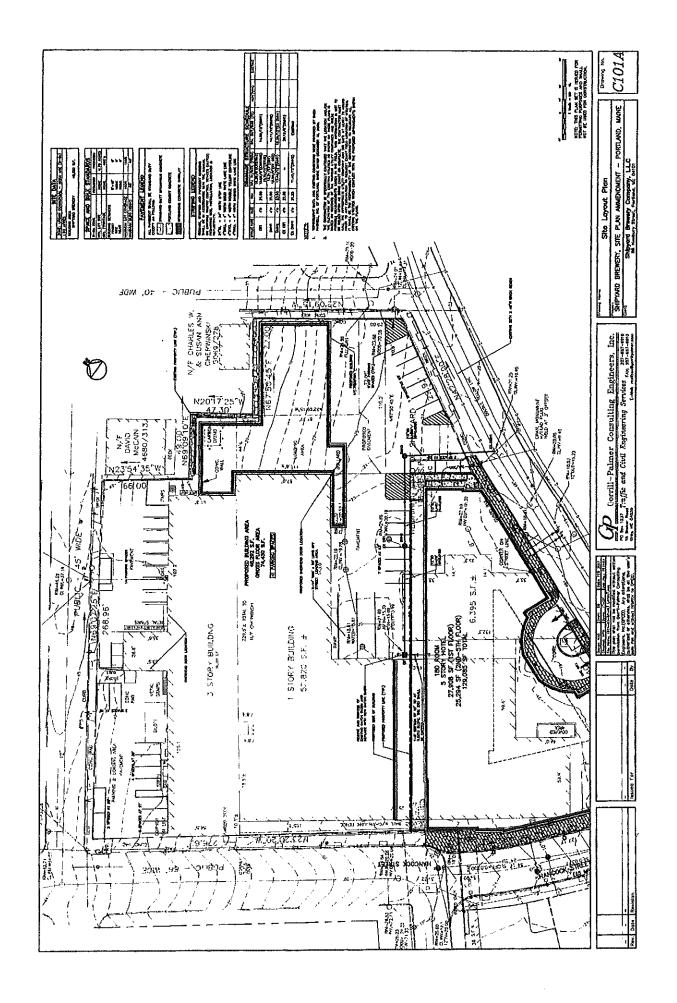
#### Dear Marge:

Please issue a letter confirming what zone the buildings and improvements located at the above property are located in and that each is in compliance with all laws, ordinances, codes, rules and regulations applicable to the use, occupancy and operation thereof. Please attach all copies of Certificates of Occupancy that have been issued along with any other filings.

Enclosed please find our 2 checks in the total amount of \$450 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.

Sincerely yours,

Susan Osborne



#### CITY OF PORTLAND, MAINE **DEVELOPMENT REVIEW APPLICATION** PLANNING DEPARTMENT PROCESSING FORM

2007-0068

	, , , , , , , , , , , , , , , , , , , ,	Zoning Copy	1 / N	Application I. D. Number
		/		4/11/2007
Shipyard Brewing Company Applicant		$\lambda$	118/10/	Application Date
86 Newbury St, Portland, ME 04101		~	10/0/	Chinana Decuary Evanceian
Applicant's Mailing Address		•	(	Shipyard Brewery Expansion Project Name/Description
rippiioditto titaling reduces		86 - 86 Ne	wbury Street, Por	•
Consultant/Agent			Proposed Site	
Applicant Ph: (207) 761-0807 Agent	Fax:	320 C00906	D1	
Applicant or Agent Daytime Telephone, Fa	x	Assessor's I	Reference: Chart-l	3fock-Lot
Proposed Development (check all that app	ly): 🔲 New Building 🗸	Building Addition	Change Of Use	Residential Office Retail
Manufacturing Warehouse/Distri	butlon Parking Lot	Apt 0 Condo	0   Other	(specify)
	82764			B5b
Proposed Building square Feet or # of Unit	s Acrea	ge of Site		Zoning
Check Review Required:			ANNE ANT CHEMICAL TO SERVICE AND CONTRACT AN	
Site Plan (major/minor)	Zoning Conditional - PB	Subdivision # of	lots	
Amendment to Plan - Board Review	•	_	Historic Pres	ervation DEP Local Certification
	20A			
Amendment to Plan - Staff Review		Zoning Variance	Flood Hazar	=
After the Fact - Major		Stormwater	☐ Traffic Move	
After the Fact - Minor		PAD Review	14-403 Stree	its Review
Fees Pald: Site Plan \$400.00	Subdivision	Engineer Revi	ew	Date 4/11/2007
Zoning Approval Status:		Revlewer (	naval	S - 2 - 2
Approved	Approved w/Conditions		☐ Denled 0	3.00
- Abboard	See Attached		Delited	
Approval Date	Approval Expiration	Extension	1 to	Additional Sheets Attached
Condition Compliance				Allacied
	signature	date		
Performance Guarantee	Required*	☐ Not Req	ulred	
* No building permit may be issued until a p	erformance quarantee has i	een submitted as indi	cated below	
Performance Guarantee Accepted	date	<del></del>	amount	ovalration data
Inspection Fee Paid	uato		amount	expiration date
	date		amount	<del></del>
Building Permit Issue	00.0		amount	
building a citim issue	date	<del></del>		
Performance Guarantee Reduced	duto			
	date	rem:	Di i T. v alning balance Ci	? Signature
Temporary Certificate of Occupancy	44.0		s (See Attached)	- Signardio
Compared Community	date		3 (306 AKBC) 64)	expiration date
Final Inspection			1 1	Marie Company
	date		signature	_
Certificate Of Occupancy	33.0		- Vig.12.019	RECEIVED
	date	<del></del>	<u></u>	TIL ULIVED
Performance Guarantee Released				
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	date		signature	<del></del>
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ty of Portland, Maine - J Congress Street, 04101 T	31. (207) 874-8703, F	ax: (207) 874-8716	508	8-0068	01/2		Phone:		
Congress Street, 04101 1	Owner Name:		Owner Add		r				
eation of Construction:	SHIPYARD BRI	EWING COMPAN	86 NEW		l		Phone		
7 FORE ST	Contractor Name:		Contractor	Address:	- 11		20776718	366	
siness Name:	Ledgewood Cons	struction		e St. So. I	Portiana		120/	Zone:	
			Permit Typ	pe:					
ssee/Buyer's Name	Phone:		-Demolit	tionsBu				<u> </u>	
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ldobson	01/23/2008	Special Zone or Re	views	Zo	ning Appeal				
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1. This permit application to Applicant(s) from meeting	g applicable State and	Shoreland							
Federal Rules.				☐ Misc	ellaneous	ļ	Does Not Require Review		
	nclude plumbing.	Wetland		112100		1			
2. Building permits do not i	Ilclude present co			Cond	nditional Use		Requires Review		
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City of Portland, N		_			5	-	Issue Date	:	CBL:		
389 Congress Street,	04101 Tel: (		3, Fax:	(207) 874-8716	07-	0828			020 C0	09001	
Location of Construction:		Owner Name:		1	Owner Address:			Phone:			
127 FORE ST		SHIPYARD E			86 NEWB		Γ				
Business Name:		Contractor Name	ŧ:	1	Contractor Address:  14 Clair Street Lewiston				Phone	000	
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Federal Rules.			1	•				/			
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RESPONSIBLE PERSON IN	CHARGE OF W	ORK, TITLE		<del></del>			DATE		РНО	NE.	

City of Portland, M	faine - Ruild	ing or Use	Permit .	Application	Permit No:	Issue Date:		CBL:		
89 Congress Street, (						08/	16/2001	7 020 C0	09001	
ocation of Construction:		Owner Name:			Owner Address:		<u> </u>	Phone:		
127 FORE ST		SHIPYARD E	BREWING	COMPAN	86 NEWBURY S	Т				
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1. This permit applicat	tion does not pr	eclude the	Specia	l Zone or Revie	ws Zoning Appeal			Historic Preservation		
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2. Building permits do septic or electrical v		mbing,	Wetland		Miscellai	Miscellaneous		Does Not Require Review		
Building permits are within six (6) month	e void if work is		Flood Zone		Condition	Conditional Use		Requires Rev	riew	
False information m	nay invalidate a		Subdivision		☐ Interpretation			Approved		
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IGNATURE OF APPLICANT	r			ADDRESS		DATE		PHO	ne.	

ESPONSIBLE PERSON IN CHARGE OF WORK, TITLE

PHONE

DATE

City of Portland, Maine -	Rnilding or Use	Permi	it Annlication	Permit N	D:	Issue Date	;	CBL:		
189 Congress Street, 04101					-1414	117	/29/200	7 020 C	009001	
ocation of Construction:	Owner Name:			Owner Addr	ess:			Phone:		
127 FORE ST		BREWI	NG COMPAN	86 NEWB	URY S	T				
Business Name:		Contractor Name:			ddress:			Phone		
, <u></u>	Irishspan Ind	ustries Ir	nc.	22 Davis S	Street, S	Suite 3 Lisbe	on Falls	2077610	807	
essee/Buyer's Name Phone:				Permit Type					Zone:	
				Additions—Commercial—				<u></u>		
'ast Use:	Proposed Use:			Permit Fee: Cost of Work:				CEO District:		
Commercial - Shipyard Brewing		Commercial - Shipyard Brewing			\$170.00 \$15,000.0			1		
Conditional - Bripyaid Browing	New propose			<u> </u>			SPECTION:			
	Newbury Stre stairwells	et 12.5	x 36' covering			Denied	Use Gr	Ise Group: Type:		
'roposed Project Description:										
New proposed entrance off Nev	vbury Street 12.5 x 30	6' coveri	ng stairwells	Signature:			Signatu	re:		
• •	•			PEDESTRIA	NACTI	VITIES DIST	RICT (I	CT (P.A.D.)		
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				Signature:				Date:		
'ermit Taken By:	ate Applied For:	T		Z	oning	Approva	ıl			
ldobson	11/19/2007	<u> </u>		· · · · · · · · · · · · · · · · · · ·			<u></u>			
1. This permit application doe	s not preclude the	Spe	cial Zone or Revie	vs Zoning Appeal			Historic Pre	servation		
Applicant(s) from meeting a Federal Rules.		Shoreland			☐ Variance			Not in District or Landmark		
<ol> <li>Building permits do not inc septic or electrical work.</li> </ol>	lude plumbing,	☐ Wetland ☐ Miscellaneon			ineous	us Does Not Requ		equire Review		
3. Building permits are void if within six (6) months of the		☐ Flood Zone ☐ Co			Condition	onal Use		Requires Re	view	
False information may inva- permit and stop all work		Subdivision			☐ Interpretation			Approved		
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		•								
SIGNATURE OF APPLICANT			ADDRESS			DATE		PHC	ONE	

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 in 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.

PORTION OF BUILDING OR PREMISES

Entire

APPROVED OCCUPANCY

Warehouse Use Group F2

Type 2B IBC 2003

Limiting Conditions:

Temporary occpancy 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

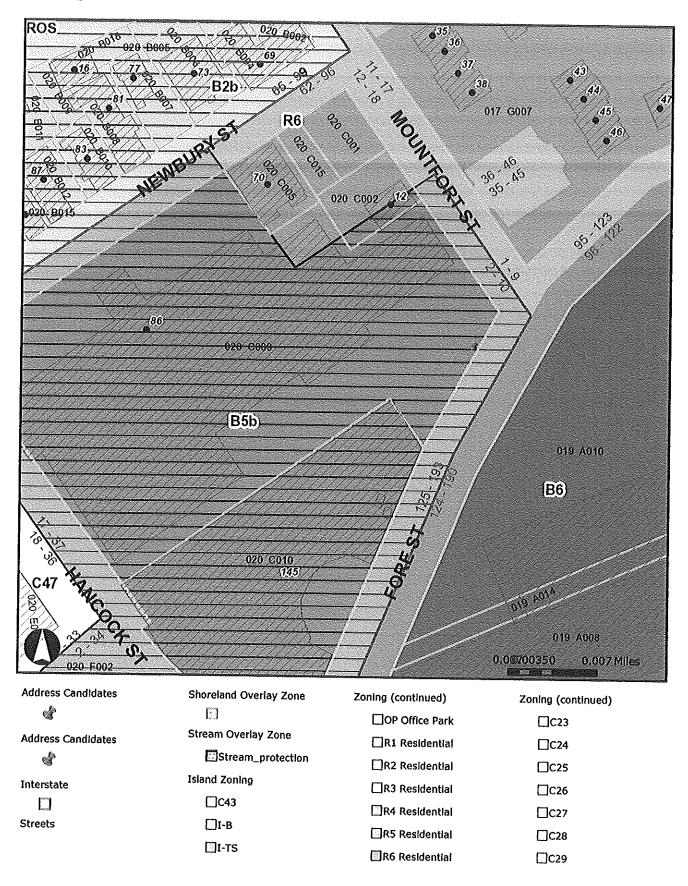
Annroved.

e)' Inspector

CNotice: This certificate identifies izwining 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.

Applicant: ShipyAnd Brewing Co, Date: 7/2/07
Address: 127 Fore Street C-B-L: 020-C-009
CHECK-LIST AGAINST ZONING ORDINANCE
Date -
Zone Locution - B5b
Interior by corner lot-) Mount fort St
Proposed Use/Work - to construct New Wavehouse Addition 9,600
Servage Disposal - City
Loi Street Frontage - No him reg.
"From Yard - (MAX) + varty and set back; 10 max -
Rear Yard. None required MAX Front your set back; 10 max -
Side Yard -
Projections -
Width of Lot - NH
Height-65 max -32'4" to the highest point
Lot Aren - NO mm reg
Los Coverage Impervious Surface - 1006 Allowed
Area per Family - WA
Off-street Parking- 73 pkg Sp regured See Analysis - 120 Spaces on solf
Loading Bays - NA Street Plan - 120 Sphers on sate permal 10/16/95
Sile Plan - # 2007-0069 4
Shoreland Zoning/Stream Protection - NM
Flood Plains - PAnel 4 Zone C

## Map



### Receipts Details:

Tender Information: Check , BusinessName: Bernstein Shur, Check Number: 101597101715

Tender Amount: 150.00

Receipt Header:

Cashier Id: Ldobson Receipt Date: 10/31/2011 Receipt Number: 11775

Receipt Details:

Referance ID:	266	Fee Type:	BP-DP
Receipt Number:	0	Payment Date:	
Transaction Amount:	150.00	Charge Amount:	150.00

Job ID: Miscellaneous charges

Additional Comments: 127 Fore St

Thank You for your Payment!