

**Ann Machado - 167 Fore Street, Portland, Maine (Map 20, Block F, Lot 1)**

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**From:** Karen Shanahan <KShanahan@curtisthaxter.com>  
**To:** "amachado@portlandmaine.gov" <amachado@portlandmaine.gov>  
**Date:** 10/16/2015 10:03 AM  
**Subject:** 167 Fore Street, Portland, Maine (Map 20, Block F, Lot 1)  
**CC:** Bob Stevens <BStevens@curtisthaxter.com>

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Good morning, Ann:

We are looking to obtain a "Zoning Determination Letter" from the City of Portland for the property referenced above. The letter needs to address the following:

1. Identify the Zone in which the property is located
2. Confirm the use of the Property is permitted within that zone (or that it is a grandfathered use)
3. Confirm there are no outstanding zoning or building code violations on the Property
4. Confirm the Property has received all requisite City of Portland permits and approvals

Ann if memory serves me correctly, in order to begin this letter you will need a check from us. Could you please let me know the amount the check will need to be and if you need anything further in order to get the determination letter we are requesting?

Thanks very much, in advance.

Karen Shanahan, Paralegal  
[kshanahan@curtisthaxter.com](mailto:kshanahan@curtisthaxter.com)

[Click Here](#) to send me files securely

**CURTIS THAXTER**  
ATTORNEYS AT LAW

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One Canal Plaza, Suite 1000, Portland, ME 04101  
P.O. Box 7320, Portland, ME 04112-7320  
TEL: 207-774-9000, Ext. 240  
FAX: 207-775-0612  
[www.curtisthaxter.com](http://www.curtisthaxter.com)

RECEIVED

OCT 19 2015

Dept. of Building Inspections  
City of Portland Maine

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Karen Stancher  
Sample letter - email w/ word document sent

10/20/15.

October 20, 2015

Robert E. Stevens, Esq.  
Curtis Thaxter  
One Canal Plaza  
Suite 1000  
Portland, ME 04101

RE: Ocean Gateway Parking Garage, 167 Fore Street, Portland, ME (Map 20, Block F, Lot 1)  
(the "Property")

Dear Mr. Stevens:

I am in receipt of your request for a determination letter concerning the Property. The Property is located in the B5b Urban Commercial <sup>Mixed Use</sup> Business Zone, and the current uses of the Property as a parking garage and retail space are permitted uses within this Zone<sup>1</sup>. Furthermore, the Property is consistent with the requirements for a B5b Zone, as set forth in the City of Portland Design Manual.

Based upon my recent review of the City's ordinances, to the best of my knowledge, I believe that the Property, as developed, conforms 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, I confirm that all appropriate and required City permits, licenses, and approvals have been provided for the current use 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 that have been issued by our office in connection with the Property.

For your reference, I have attached a true copy of the Certificate of Occupancy issued for the Property.

<sup>1</sup> According to Chapter 14 of the City of Portland Land Use Ordinance, Sec. 14-230.1, (a)6 states that "Retail and service establishments except convenience stores with gas pumps" are permitted uses. Sec. 14-230.1(a)13 states that "Off-street parking lots and garages except in the B-5 zoning district between Forest Avenue and Franklin Street surface parking lots shall be considered a conditional use."

If you have any questions regarding this matter, please feel free to contact me at (207) 874-8709.

Sincerely,

Ann Machado  
Zoning Administrator  
Planning & Urban Development

207-08-10

**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**

389 Congress Street  
 Portland, Maine 04101

**INVOICE OF FEES**

<b>Application No:</b> 0000-2520	<b>Applicant:</b> OCEAN GATEWAY GARAGE LL
<b>Project Name:</b> 167 FORE ST	<b>Location:</b> 167 FORE ST
<b>CBL:</b> 020 F001001	<b>Application Type:</b> Determination Letter
<b>Invoice Date:</b> 10/19/2015	

<b>Previous Balance</b>	-	<b>Payment Received</b>	+	<b>Current Fees</b>	-	<b>Current Payment</b>	=	<b>Total Due</b>	<b>Payment Due Date</b>
\$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>
<b>Total Current Fees:</b>	+	\$150.00
<b>Total Current Payments:</b>	-	<u>\$150.00</u>
<b>Amount Due Now:</b>		\$0.00

**RECEIVED**  
 OCT 16 2015  
 Dept. of Building Inspections  
 City of Portland Maine

**CBL** 020 F001001  
**Bill To:** OCEAN GATEWAY GARAGE LLC  
 1270 SOLDIERS FIELD RD  
 BRIGHTON, MA 02135

**Application No:** 0000-2520  
**Invoice Date:** 10/19/2015  
**Invoice No:** 51219  
**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/792/Permit-Status>

[Click Here to Pay On Line](#)