

28-N-9  
115 Middle St.  
Change of Use  
Three Brothers, LLC.

1998-0039

on Spreadsheet

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

19980039

I. D. Number

**Brothers Three LLC**

Applicant

111 Commercial St, Portland, ME 04101

Applicant's Mailing Address

**Bill Nemmers**

Consultant/Agent

774-3683 761-2836

Applicant or Agent Daytime Telephone, Fax

5/5/98

Application Date

**Middle St 115**

Project Name/Description

115 Middle St

Address of Proposed Site

028-N-009

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):  New Building  Building Addition  Change Of Use  Residential  
 Office  Retail  Manufacturing  Warehouse/Distribution  Parking Lot  Other (specify) \_\_\_\_\_

5,187 sq. ft.

5,062

B-3

Proposed Building square Feet or # of Units

Acreage of Site

Zoning

**Check Review Required:**

- |  |   |  |  |
|--|---|--|--|
| <input checked="" type="checkbox"/> Site Plan<br>(major/minor) | <input type="checkbox"/> Subdivision<br># of lots _____ | <input type="checkbox"/> PAD Review            | <input type="checkbox"/> 14-403 Streets Review   |
| <input type="checkbox"/> Flood Hazard                          | <input type="checkbox"/> Shoreland                      | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional<br>Use (ZBA/PB)    | <input type="checkbox"/> Zoning Variance                |  | <input type="checkbox"/> Other _____             |

Fees Paid: Site Plan \$300.00 Subdivisio \_\_\_\_\_ Engineer Review \_\_\_\_\_ Date 5/5/98

**Planning Approval Status:**

Reviewer **Kandi Talbot**

- Approved  Approved w/Conditions  
See Attached  Denied

Approval Date 5/21/98 Approval Expiration 5/21/99 Extension to \_\_\_\_\_  Additional Sheets Attached

OK to Issue Building Permi **Kandi Talbot** 5/21/98  
signature date

Performance Guarantee  Required\*  Not Required

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

- |   |                |  |                 |
|---|----------------|--|-----------------|
| <input type="checkbox"/> Performance Guarantee Accepted     | _____          | _____  | _____           |
|   | date           | amount   | expiration date |
| <input type="checkbox"/> Inspection Fee Paid                | _____          | _____  |                 |
|   | date           | amount   |                 |
| <input type="checkbox"/> Building Permit Issue              | _____          |  |                 |
|   | date           |  |                 |
| <input type="checkbox"/> Performance Guarantee Reduced      | _____          | _____  | _____           |
|   | date           | remaining balance                                  | signature       |
| <input type="checkbox"/> Temporary Certificate of Occupancy | _____          | <input type="checkbox"/> Conditions (See Attached) |                 |
|   | date           |  |                 |
| <input type="checkbox"/> Final Inspection                   | _____          | _____  |                 |
|   | date           | signature  |                 |
| <input type="checkbox"/> Certificate Of Occupancy           | _____          |  |                 |
|   | date           |  |                 |
| <input type="checkbox"/> Performance Guarantee Released     | _____          | _____  |                 |
|   | date           | signature  |                 |
| <input type="checkbox"/> Defect Guarantee Submitted         | _____          | _____  | _____           |
|   | submitted date | amount   | expiration date |
| <input type="checkbox"/> Defect Guarantee Released          | _____          | _____  |                 |
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**DRC Approval Status:**

Reviewer Jim Wendel

- Approved  Approved w/Conditions see attache  Denied

Approval Date 5/21/98 Approval Expiration 5/21/99 Extension to \_\_\_\_\_  Additional Sheets Attached

Condition Compliance Jim Wendel 5/21/98  
signature date

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## CITY OF PORTLAND

June 2, 1998

William Nemmers  
424 Fore Street  
Portland, ME 04101

Re: 115 Middle Street, Change of Use

Dear Mr Nemmers:

On May 21, 1998 the Portland Planning Authority granted minor site plan approval for a change of use from vacant to office space at 115 Middle Street.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

Please note the following provisions and requirements for all site plan approvals:

1. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. A one year extension may be granted by this department if requested by the applicant in writing prior to the expiration date of the site plan.
2. Prior to construction, a preconstruction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the preconstruction meeting.
3. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

O:\PLAN\CORRESP\SECRETAR\FORMS\MINORSP.WPD

115 MIDDLE STREET  
WRITTEN STATEMENT for  
SITE PLAN REVIEW

*Parks & Rec*  
*J. Farling*

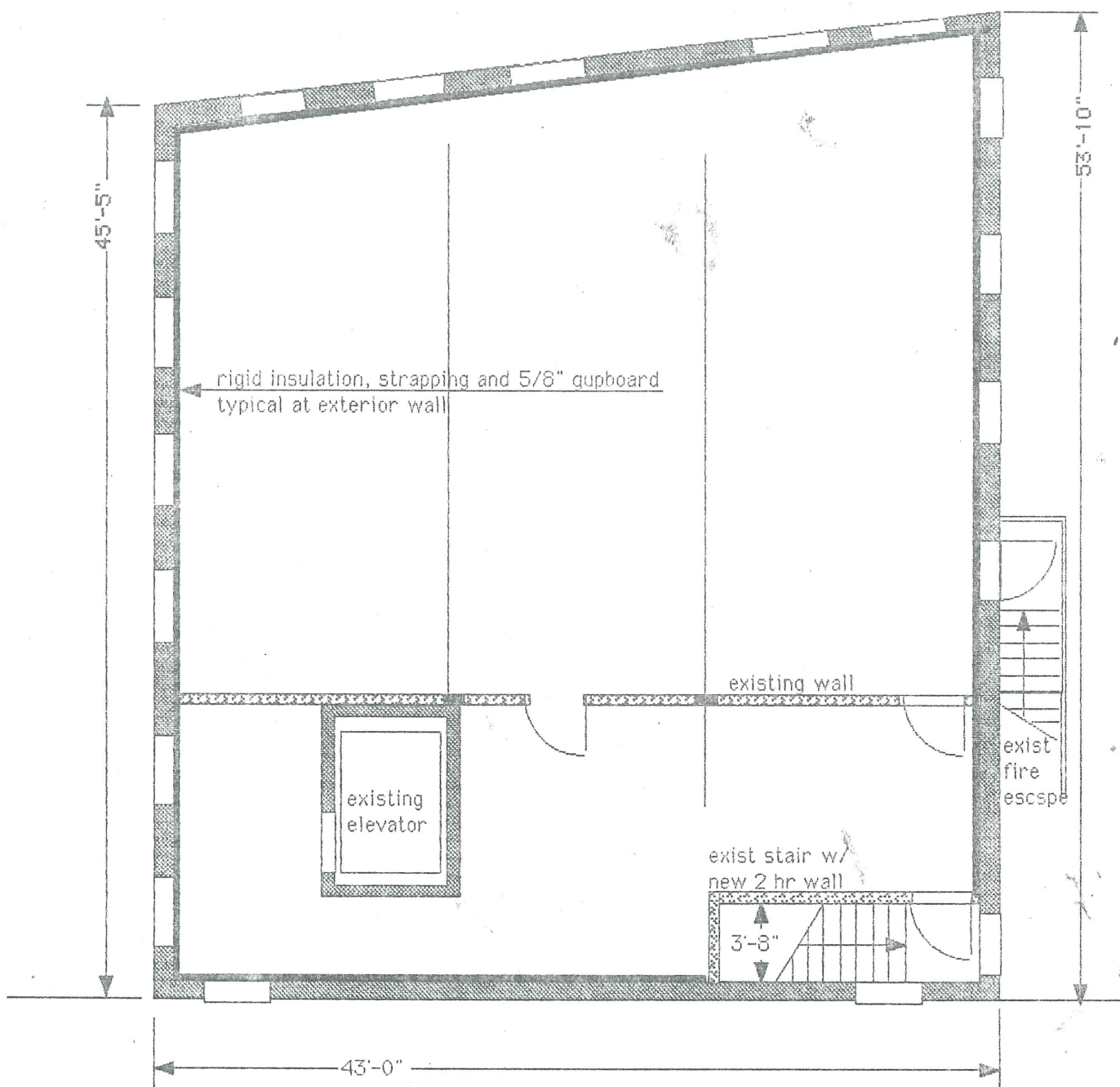
May 4, 1998

- 1) **OWNER:** Brothers Three, L.L.C. 111 Commercial Street, Portland, Maine 04101
- 2) **DESCRIPTION OF USE:** The existing uses in this three story building are Office Space on the 1st and 2nd floor and Vacant on the 3rd floor. The proposed use is office space on all three floors. There also exists a parking area in the rear for 8 cars.
- 3) **TOTAL AREA OF SITE:** The area of the existing Lot is 5,187 SF. as per 11/26/97 survey by M. Johan Buisman
- 4) **TOTAL AREA OF BUILDING GROUND COVER:**

Area of existing building	1,936 sf	37.3%
Area of existing paved parking	2,557 sf	49.3%
Area of existing non-impervious	694 sf	13.4%
Total site area	5,187 sf	100.0%
- 5) **EASEMENTS:**
  - a) The adjacent 1-story building on Parcel #10 encroaches onto this property by half a foot or less.
  - b) There is a "Right to Use" an approximate 8.5ft wide strip across the rear of the building granted to the adjacent parcel #10.
  - c) There is a party wall agreement between this property and the adjacent parcel #10
- 6) **SOLID WASTE GENERATION:** The solid waste generated by this proposed office use will be removed from the building by a private contractor. No waste will be stored on the exterior of the site.
- 7) **EVIDENCE OF SEWER AND WATER ACCESS:** There are existing gas, sewer and water services to the lot, and this project will not require additional water or waste lines. A new electrical entrance, underground from an existing pad-mounted transformer has been installed.
- 8) **DRAINAGE SITUATION:** Currently all surface water drains down Garden Lane to Middle Street. This Project proposes no changes to the existing drainage patterns
- 9) **CONSTRUCTION SCHEDULE:**

Phase #1 the first and second floors of this building have already been leased out and permitted, and construction is proceeding.

Phase #2 The Third floor will be built out when a tenant is found for the space..
- 10) **COMMENT REGARDING FEDERAL OR STATE PERMITS:** There are no Federal or State Permits required for this development.
- 11) **EVIDENCE OF THE APPLICANTS TITLE:** The applicant owns the property and will supply a copy of the deed under separate cover.
- 12) **COMMENT REGARDING NATURAL PRESERVATION AREAS** There are no natural preservation areas on the site



**THIRD FLOOR PLAN**

(change of use from "VACANT" to "OFFICE")

scale 1/8" = 1'-0"

**CITY OF PORTLAND**  
**APPROVED SITE PLAN**  
 SUBJECT TO DEPARTMENTAL  
 CONDITIONS  
 DATE OF APPROVAL 5/21/98

Alex



WILLIAM NEMMERS ASSOCIATES ARCHITECTS  
424 FORE ST. PORTLAND, ME 04101 774-3683.

MAY 4 1998

~~Marge Schmuckte~~ ALEX JAGERMAN.  
~~Building Inspections Office~~ PLANNING OFFICE  
City of Portland  
389 Congress Street  
Portland, Maine 04101

Re: 115 Middle Street  
MINOR SITE PLAN REVIEW

Dear Marge:

Attached please find the application for Minor Site Plan Review for this Property at 115 Middle Street. In the past months you have recieved and approved building permits and change-of-use permits for the first and second floors of this building. Before we develop the third floor a Minor Site Plan Approval is necessary because the total Square footage of the three floors is approximately 6,000 sf which is above the 5,000st limit.

The property is not in the PAD Overlay Zone and is not in the Historic District Zone

During the development of the first two floors we have included several items which have an impact on this 3rd floor as well:

- a) The floor/sidewalk transition has been adjusted so as to provide handicap accessible grade accesses to both the first floor tenant and the elevator access to the upper floors.
- b) An elevator has been installed to service the 3rd floor.
- c) All the windows in the building, including the 3rd floor have been replaced with energy efficient windows
- d) A new 3phase electricalservice has been brought in to service all the floors.

The 3rd floor will need a change-of-use from "Vacant" to "Office" use.

Existing parking in the rear of the building will remain.

Sincerely,

William Nemmers

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115 MIDDLE STREET  
WRITTEN STATEMENT for  
SITE PLAN REVIEW

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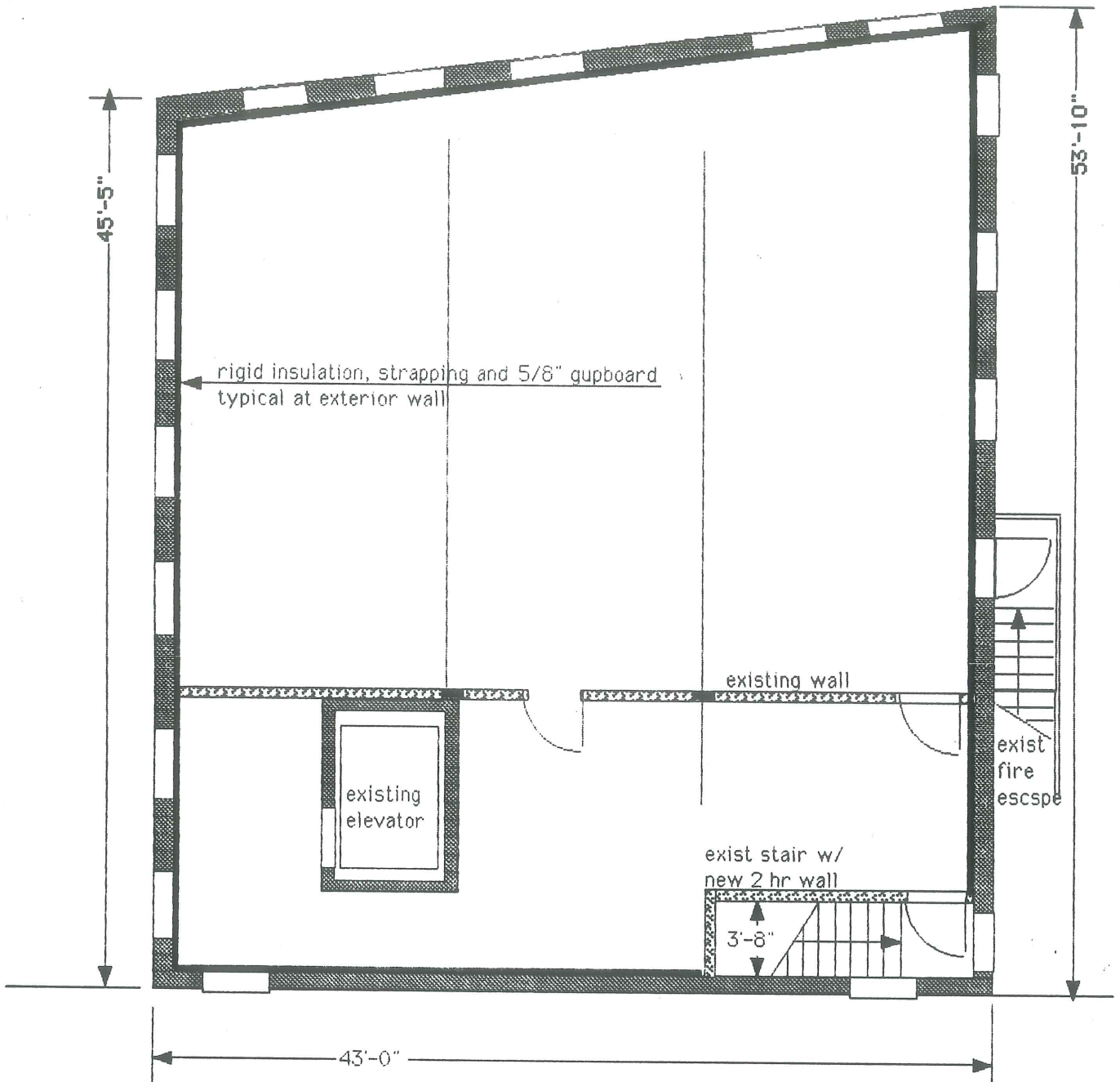
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