



# 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*

March 25, 2010

Gorham Savings Bank  
And  
Monument Title Company  
And  
Bernstein Shur  
100 Middle Street  
PO Box 9729  
Portland, ME 04104-5029  
Att: Susan Osborne

RE: 250 Commercial Street – 031-L-034 (the “Property”) – Waterfront Central Zone

Dear Ms. Osborne,

I am in receipt of your request for a determination letter concerning the Property. The Property is located within a Waterfront Central Zone (WCZ). The two uses of a photographic studio and a health spa are the two approved uses for the Property as evidenced by the attached certificates of occupancy.

I am not aware of any violations of the City of Portland’s Land Use Zoning Ordinance. To the best of my knowledge the Property is in compliance with all applicable Land Use requirements. There are no pending or anticipated legal actions against the Property.

If you have any questions regarding this matter, please do not hesitate to contact me at 874-8695.

Very truly yours,

Marge Schmuckal  
Zoning Administrator

enclosures

# BERNSTEIN SHUR

COUNSELORS AT LAW

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

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

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

March 3, 2010

**Via Hand Delivery**

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

*Zone*

Re: 31-L-34 / 250 Commercial Street - *WCT*

Dear Marge:

Please issue a letter confirming what zone the buildings and improvements located at the above named property are 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.

Please address the letter to all of the following:

Bernstein Shur; Monument Title Company; and Gorham Savings Bank;

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@bssn.com](mailto:sosborne@bssn.com) when this is ready so that I may pick it up to save mailing time.

Sincerely yours,

*Susan Osborne*  
Susan Osborne  
Paralegal

RECEIVED

MAR - 3 2010

Dept. of Building Inspections  
City of Portland Maine

Assessor's Office | 289 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8156

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:**

**Services**

- Applications
- Open business
- Maps
- City form
- Tax roll
- Q & A

**CBL** 031 L034001  
**Land Use Type** MANUFACTURING & CONSTRUCTION  
**Property Location** 250 COMMERCIAL ST  
**Owner Information** MACOMBER PETER B JR  
 88 FESSENDEN ST  
 PORTLAND ME 04103  
**Book and Page** 16939/185  
**Legal Description** 31-L-34  
 COMMERCIAL ST 242-250  
 14948 SF  
**Acres** 0.343

**Current Assessed Valuation:**

<b>TAX ACCT NO.</b>	4654	<b>OWNER OF RECORD AS OF APRIL 2009</b>
		MACOMBER PETER B JR
<b>LAND VALUE</b>	\$149,500.00	<b>88 FESSENDEN ST</b>
<b>BUILDING VALUE</b>	\$1,658,400.00	<b>PORTLAND ME 04103</b>
<b>NET TAXABLE - REAL ESTATE</b>	\$1,807,900.00	
<b>TAX AMOUNT</b>	\$32,072.16	

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](mailto:treasury@portlandmaine.gov).



See assessed at  
 without explanation

**Building Information:**

**Card 1 of 1**  
**Year Built** 1908  
**Style/Structure Type** RETAIL - MULTI OCCUPANCY  
**# Units** 1  
**Building Num/Name** 1 - MACOMBER PHOTOGRAPHY  
**Square Feet** 23866

[View Sketch](#) [View Map](#) [View Picture](#)



**Exterior/Interior Information:**

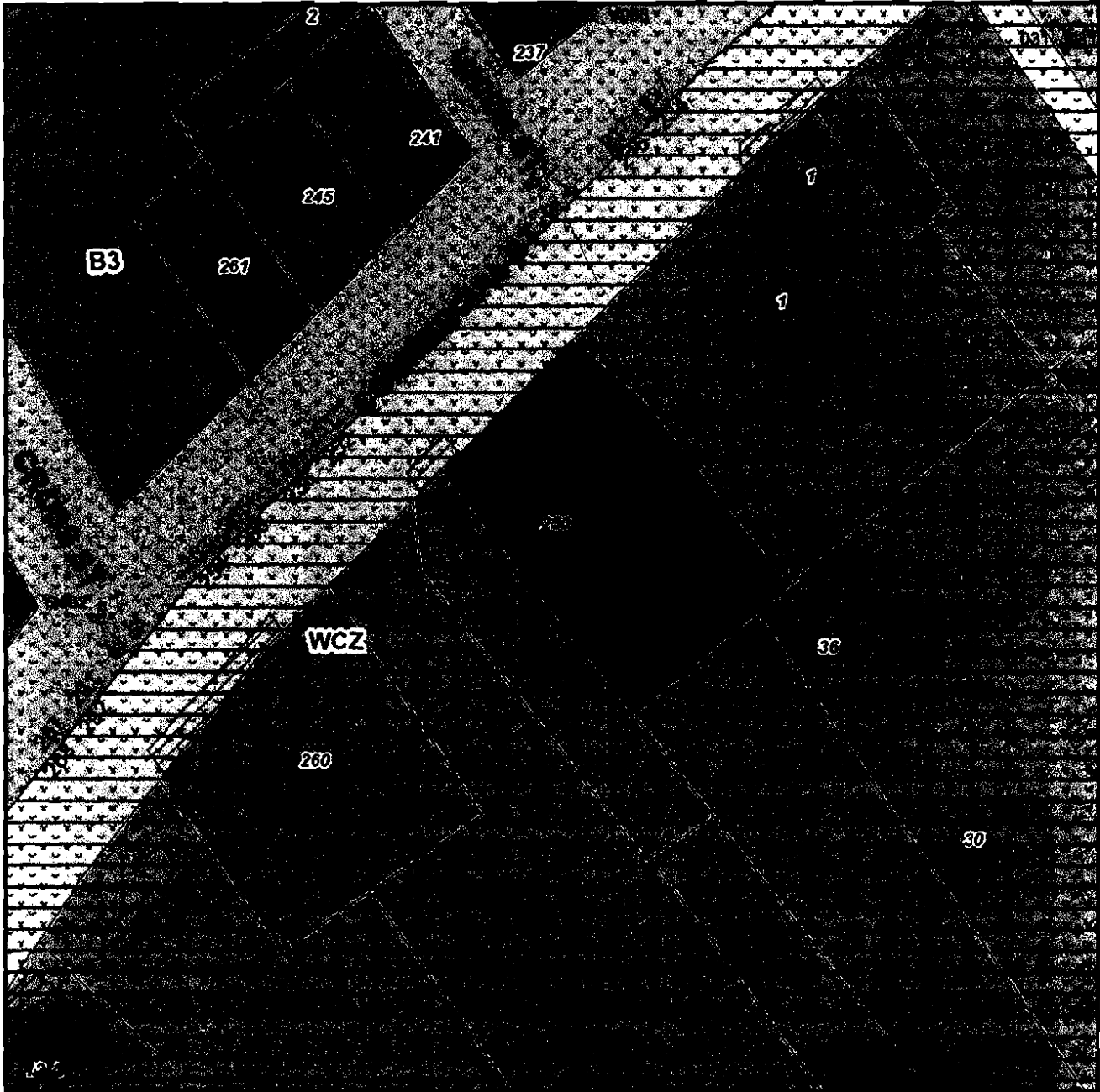
**Card 1**  
**Levels** B1/B1  
**Size** 2938  
**Use** SUPPORT AREA  
**Height** 7  
**Heating** UNIT HEAT  
**A/C** NONE

**Card 1**  
**Levels** 01/01  
**Size** 2938  
**Use** MULTI-USE OFFICE  
**Height** 11  
**Walls** BRK/CONC BLK  
**Heating** UNIT HEAT  
**A/C** NONE

**Card 1**  
**Levels** 01/01  
**Size** 7647  
**Use** MULTI-USE SALES  
**Height** 11  
**Walls** BRK/CONC BLK  
**Heating** UNIT HEAT  
**A/C** NONE

**Card 1**  
**Levels** 02/02  
**Size** 2938  
**Use** MULTI-USE OFFICE  
**Height** 11  
**Walls** BRK/CONC BLK  
**Heating** NONE

# Map



<b>Parcels</b>	<b>Island Zoning</b>	<b>Zoning (continued)</b>	<b>Zoning (continued)</b>
<input checked="" type="checkbox"/> Building	<input type="checkbox"/> C43	<input type="checkbox"/> R3 Residential	<input type="checkbox"/> C25
<input type="checkbox"/> Out Building	<input type="checkbox"/> I-B	<input checked="" type="checkbox"/> R4 Residential	<input type="checkbox"/> C26
<b>Interstate</b>	<input checked="" type="checkbox"/> I-TS	<input checked="" type="checkbox"/> R5 Residential	<input type="checkbox"/> C27
<input type="checkbox"/>	<input type="checkbox"/> I-R1	<input checked="" type="checkbox"/> R6 Residential	<input type="checkbox"/> C28
<b>Streets</b>	<input type="checkbox"/> I-R2	<input checked="" type="checkbox"/> ROS Recreation Open	<input type="checkbox"/> C29
<input type="checkbox"/>	<input type="checkbox"/> I-R3	Space	<input type="checkbox"/> C30
<b>Buildings</b>	<input checked="" type="checkbox"/> ROS	<input checked="" type="checkbox"/> RP Residential	<input type="checkbox"/> C31



## CITY OF PORTLAND

February 14, 2001

Mr. Peter Macomber  
380 Cumberland Avenue  
Portland, Maine 04101

RE: 250 Commercial Street -- CBL 031 L 034  
Change of use

Dear Mr. Macomber:

On February 14, 2001, the Portland Planning Authority granted minor site plan approval for a change of use from commercial fish processing to photography studio and professional office at 250 Commercial Street.

The approval is subject to the following conditions:

That the applicant provides five off-site parking spaces within 100 feet of the subject property as provided by letter from Mr. Parker Poole representing the Proprietors of Union Wharf dated January 11, 2001. The requirement for these parking spaces runs with the approved use and the applicant must receive approval from the City Planning Authority prior to changing the location or reducing the number of parking spaces.

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:

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. As no site work is proposed with this application, no site inspection fee or performance guarantee is required. Any future site work, including but not limited to the development of additional on-site parking, would require review and approval by the City Planning Authority.
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.)

If there are any questions, please contact the Planning Staff.

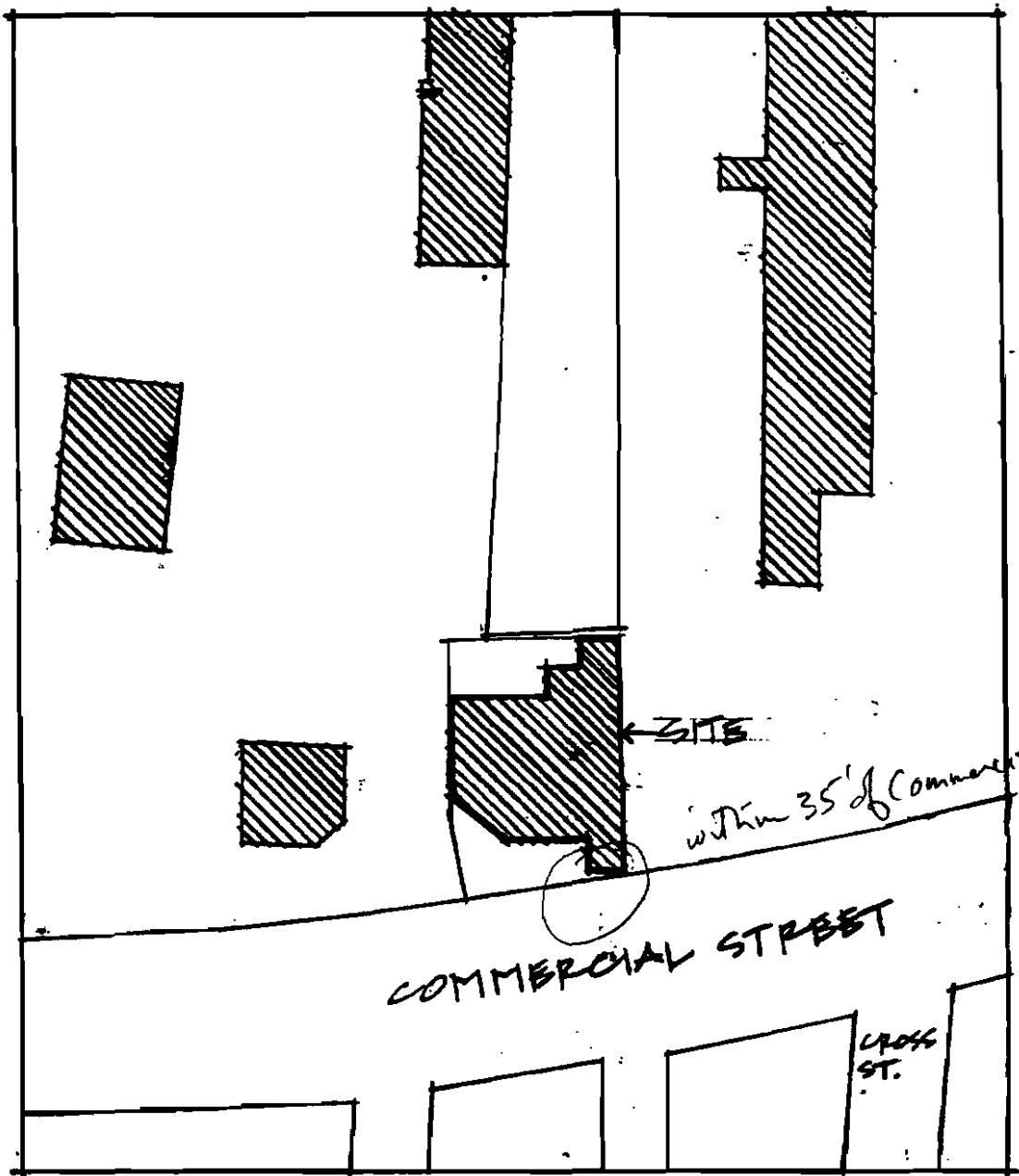
Sincerely,

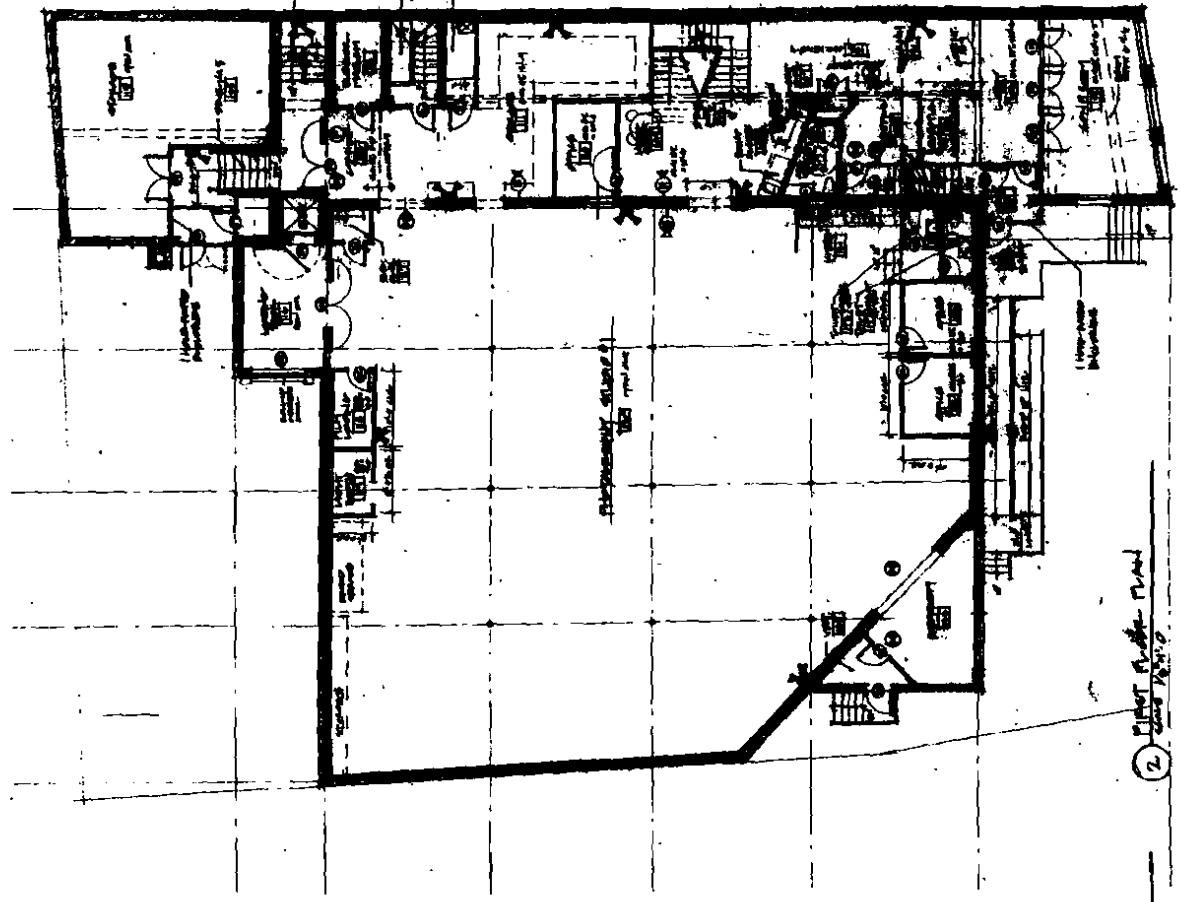
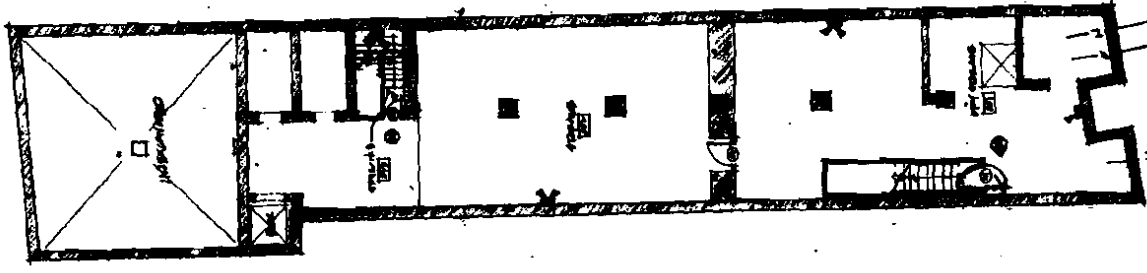


Alexander Jaegerman, Chief Planner

cc:

William B. Needelman, Senior Planner  
P. Samuel Hoffses, Chief of Building Inspections  
Marge Schmuckal, Zoning Administrator  
Tony Lombardo, Project Engineer  
Jay Reynolds, Development Review Coordinator  
Nancy Knauber, Associate Engineer  
Pemy Littell, Associate Corporation Counsel  
Lt. Gaylen McDougall, Fire Prevention  
✓ Inspections Department  
John Lufkin, Economic Development  
Don Hall, Appraiser, Assessor's Office  
Susan Doughty, Assessor's Office  
Approval Letter File





- LEGEND
- ① - HALLS
  - ② - OFFICES
  - ③ - STAIRS
  - ④ - ELEVATORS
  - ⑤ - RESTROOMS
  - ⑥ - STORAGE
  - ⑦ - MEETING ROOMS
  - ⑧ - CONFERENCE ROOMS
  - ⑨ - BREAK ROOMS
  - ⑩ - RECEPTION
  - ⑪ - ENTRANCE
  - ⑫ - EXIT
  - ⑬ - FIRE ALARMS
  - ⑭ - FIRE EXTINGUISHERS
  - ⑮ - FIRE ESCAPES
  - ⑯ - FIRE HOSES
  - ⑰ - FIRE TAPES
  - ⑱ - FIRE ALARMS
  - ⑲ - FIRE EXTINGUISHERS
  - ⑳ - FIRE ESCAPES
  - ㉑ - FIRE HOSES
  - ㉒ - FIRE TAPES



PIRE DETAILS

② Detail of the main floor

① Detail of the main floor

Notes on the drawing: This drawing is a detail of the main floor. It shows the layout of the main floor, including the stairs, elevators, and other rooms. The drawing is oriented vertically on the page.

550 CONTINUED FROM

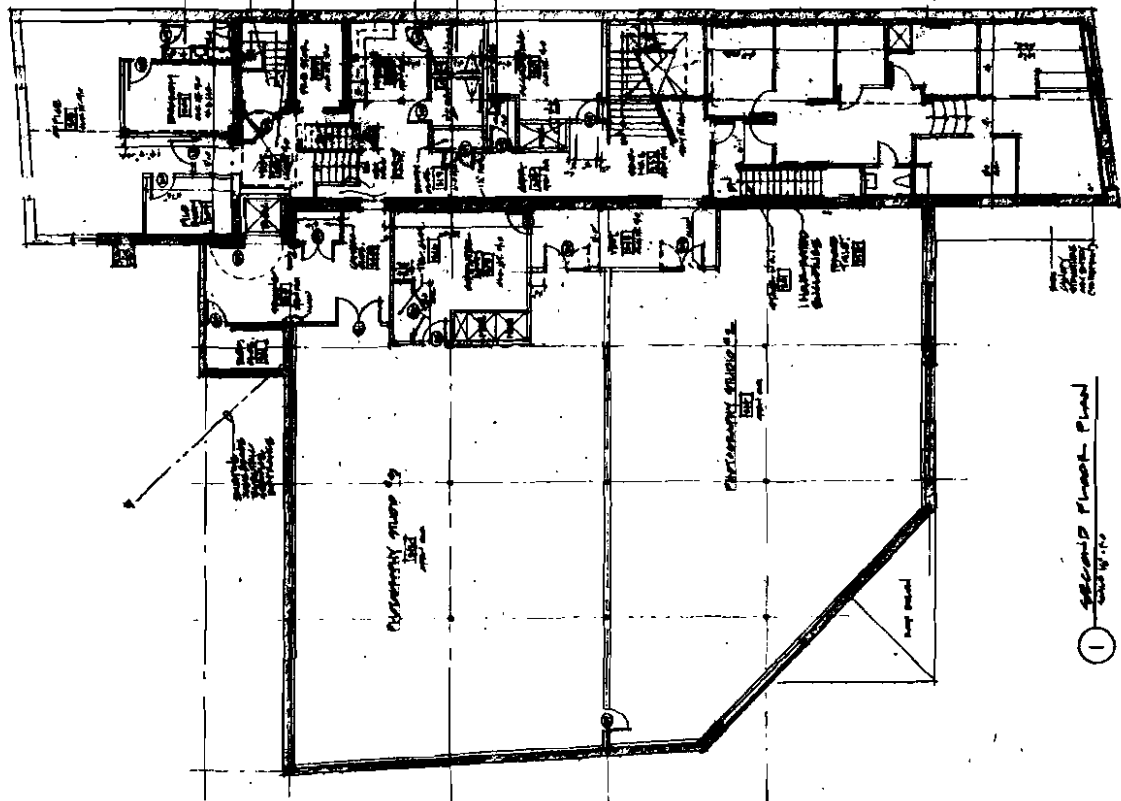
PIRE DETAILS



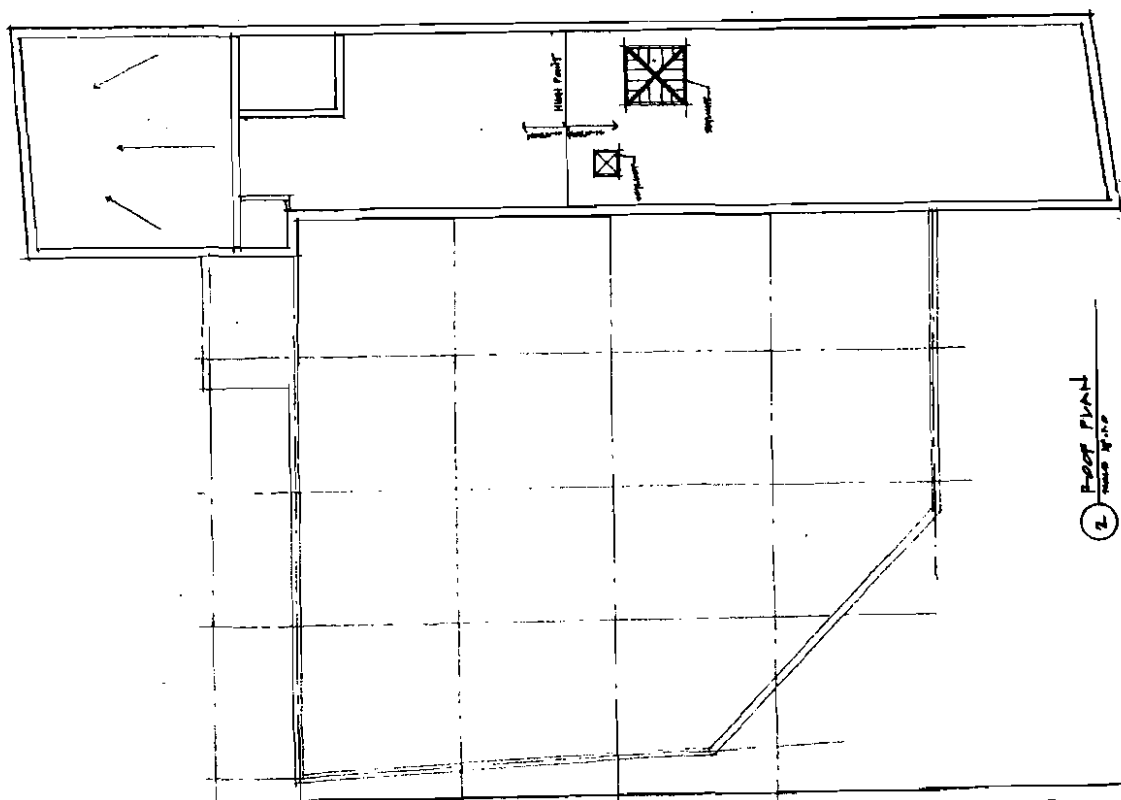
PROPOSED LINE STONES

SECOND FLOOR PLAN

1250 1/2  
1250 1/2  
1250 1/2



1 SECOND FLOOR PLAN



2 ROOF PLAN



# Certificate of Occupancy

LOCATION 250 Commercial St CBL 031 L034001

Issued to North Atlantic/HardyPond Construction Date of Issue 06/14/2002

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. 01-0383, 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

First Floor

APPROVED OCCUPANCY

Photo Studio  
Use Group: B  
Type: 2C BOCA: 1999

Limiting Conditions:  
None

This certificate supersedes certificate issued

Approved:

(Date)

Inspector

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.



# Certificate of Occupancy

LOCATION 250 Commercial St CBL 031 L034001

Issued to Macomber Peter B Jr /Benchmark Date of Issue 06/14/2002

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. 02-0155, 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

Second Floor

APPROVED OCCUPANCY

Health Spa  
Use Group: B  
Type: 2C BOCA; 1999

Limiting Conditions:  
None

This certificate supersedes certificate issued

Approved:

(Date)

Inspector

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.



# CITY OF PORTLAND, MAINE

Department of Building Inspections

## Original Receipt

3-3 20 10

Received from: BENSHAW, Inc

Location of Work: 250 Commercial

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

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

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

Total: 150

Building (10) \_\_\_\_\_ Plumbing (15) \_\_\_\_\_ Electrical (12) \_\_\_\_\_ Site Plan (12) \_\_\_\_\_

Other: CONSTRUCTION

CBL: 101034

Check # 101034 Total Collected \$ 150

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