



PORTLAND MAINE

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

November 30, 2009

Bernstein Shur
Monument Title Company
Androscoggin Bank
Bangor Savings Bank
TD Bank, N.A.
Norway Savings Bank

C/O Bernstein Shur
100 Middle Street
PO Box 9729
Portland, Maine 04104-5029

Attn: Susan Osborne

RE: 190 Middle Street and Spring Street Art/3 Canal Plaza – 32-I-23 (the “Property”)
B-3 Zone with a PAD Overlay Zone

Dear Ms. Osborne,

I am in receipt of your request for a determination letter concerning the Property.

The Property is located within the B-3 Downtown Business Zone. There is a Pedestrian Activities District (PAD) Overlay Zone along Middle Street which limits first floor uses in the Ordinance. To the best of my knowledge, the Property is in compliance with applicable zoning codes, regulations and related ordinances. I have enclosed several recent certificates of occupancy related to the Property.

Please note that this letter is not intended to address any issues related to subdivision reviews. The Assessor’s office usually attaches separate chart-block-lot (C-B-L) numbers to lots that are described separately. The individual C-B-Ls do not indicate approved property subdivisions. The Assessor’s offices are guided by State and City assessment regulations.

If you have any questions regarding this issue, please do not hesitate to contact me at (207) 874-8695.

Very truly yours,

A handwritten signature in black ink, appearing to read "Marge Schmuckal", with a long horizontal flourish extending to the right.

Marge Schmuckal
Zoning Administrator

Enclosures

Cc: file



APPLICATION FOR PERMIT

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION 000241

ZONING LOCATION PORTLAND, MAINE, April 3, 1979

PERMIT ISSUED

APR 13 1979

CITY of PORTLAND

To the DIRECTOR OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION 3 Canal Plaza Fire District #1 ☐ #2 ☐

1. Owner's name and address Plaza Realty Co. - 1 Canal Plaza Telephone 773-0201

2. Lessee's name and address Telephone

3. Contractor's name and address Pizzagalli Constr. - P. O. Box 8550 Telephone 774-2661

4. Architect Specifications Plans No. of sheets

Proposed use of building Professional - offices No. families

Last use No. families

Material No. stories Heat Style of roof Roofing

Other buildings on same lot

Estimated contractual cost \$ 2,318,376 Fee \$ 10,436.50

FIELD INSPECTOR—Mr. GENERAL DESCRIPTION fee not paid 4-4-79

This application is for: @ 775-5451 Ext. 234 To construct 6 story building, to be

Dwelling used as offices, approx 74 x 147 as per

Garage plans,

Masonry Bldg. Stamp of Special Conditions

Metal Bldg. Sent to Fire Dept. 4-4-79

Alterations Rec'd from Fire Dept. 4-4-79

Demolitions Call Pizzagalli when permit is issued

Change of Use they will pick up.

Other NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

PERMIT IS TO BE ISSUED TO 1 ☐ 2 ☐ 3 ☐ 4 ☐

Other:

DETAILS OF NEW WORK

Is any plumbing involved in this work? yes Is any electrical work involved in this work? yes

Is connection to be made to public sewer? YES If not, what is proposed for sewage?

Has septic tank notice been sent? Form notice sent?

Height average grade to top of plate Height average grade to highest point of roof

Size, front depth No. stories solid or filled land? earth or rock?

Material of foundation concrete Thickness, top 6 bottom cellar

Kind of roof flat Rise per foot Roof covering membrane hot water - gas

No. of chimneys one Material of chimneys metal of lining fiber glass Kind of heat hot water - gas

Framing Lumber—Kind Dressed or full size? Corner posts Sills

Size Girder Columns under girders Size Max. on centers

Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.

Joists and rafters: 1st floor 2nd 3rd roof

On centers: 1st floor 2nd 3rd roof

Maximum span: 1st floor 2nd 3rd roof

If one story building with masonry walls, thickness of walls? height?

IF A GARAGE

No. cars now accommodated on same lot, to be accommodated ... number commercial cars to be accommodated ...

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

APPROVALS BY: DATE MISCELLANEOUS

BUILDING INSPECTION—PLAN EXAMINER Will work require disturbing of any tree on a public street? ..

ZONING: Will there be in charge of the above work a person competent

BUILDING CODE: to see that the State and City requirements pertaining thereto

Fire Dept.: are observed?

Health Dept.:



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 3 Canal Plaza

Issued to Pizzagalli Construction

Date of Issue Nov. 30, 1979

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. 79/241, 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

APPROVED OCCUPANCY

Limiting Conditions: Plaza Entrance, Ground Floor
2nd, 3rd, 4th Floors Only

Office Building

This certificate supersedes
certificate issued

Approved:

11-30-79
(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.

50-28



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 300 (S) Plaza

Issued to Maine State Retirement System

Date of Issue 8/16/90

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. 97/0888, 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

APPROVED OCCUPANCY

Plaza Level

Office Space

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:
8/16/90
(Date)

[Signature]
Inspector

[Signature]
Inspector of Building

SB

Where This Certificate (describes) limits 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 owner's agent for one dollar.



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 3 Canal Plaza; 4th floor

Issued to Maine State Retirement Systems

Date of Issue 1/26/90

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. 002682, 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

APPROVED OCCUPANCY

offices, 4th floor

entire fourth floor

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

(Date)

Inspector

ASST Inspector of Buildings

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CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 3 Canal Plaza; 4th floor

Issued to Maine State Retirement Systems

Date of Issue 1/26/90

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. 002484, 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

APPROVED OCCUPANCY

offices, 4th floor

offices

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

(Date)

Inspector

ASST 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 Inspection

Certificate of Occupancy

LOCATION 3 Canal Plaza - 1st floor

Issued to Maine State Retirement Systems

Date of Issue May 11, 1990

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. 2622/89, 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

APPROVED OCCUPANCY

Entire 1st floor

Offices

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

(Date)

Inspector

Inspector of Buildings

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CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 3 Canal Plaza - 2nd floor

Issued to Maine State Retirement Systems

Date of Issue April 3, 1990

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. 2622/89, 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

APPROVED OCCUPANCY

Entire 2nd floor

Offices

Limiting Conditions:
NONE

This certificate supersedes
certificate issued

Approved:

(Date)

Inspector

Inspector of Buildings

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CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 3 Canal Plaza

Issued to Maine State Retirement System

Date of Issue 8/16/90

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. 90/0888, 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

APPROVED OCCUPANCY

Plaza Level

Office Space

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

8/16/90

(Date)

[Signature]
Inspector

[Signature]
Inspector of Buildings

SB

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CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION Three Canal Plaza

Issued to Fidelity Properties Inc.

Date of Issue 5/4/93

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. 93/0200, 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

APPROVED OCCUPANCY

"Fidelity Investments"

office space

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

5/10/93

(Date)

[Signature]
Inspector

[Signature]
Inspector of Buildings

[Signature]

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 Inspection

Certificate of Occupancy

LOCATION Three Canal Plaza

Issued to Plaza Realty Co.,

Date of Issue 10/5/93

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. 93/0665 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

APPROVED OCCUPANCY

second floor

office space

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

(Date)

Inspector

Inspector of Buildings

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CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION Three Canal Plaza

Issued to MSRS

Date of Issue 12 April 1995

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. 950200 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

APPROVED OCCUPANCY

6th floor front right

office

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

(Date)

Inspector

Inspector of Buildings

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CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 3 Canal Plaza

Issued to Three Canal Plaza Limited

Date of Issue 20 March 1997

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. 970112, 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

APPROVED OCCUPANCY

Sixth Floor

Office - Forum Financial

Limiting Conditions:

This certificate supersedes
certificate issued

Approved:

3/20/97
(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.