



PORTLAND MAINE

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

December 1, 2009

Bernstein Shur
Monument Title Company
Andoroscoggin 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: 44 Exchange Street – 423-445 Fore Street and 27-31 & 45 Union Street –
32-I-40 (the “Property”) – B-3 Zone – PAD Overlay

Dear Ms. Osborne,

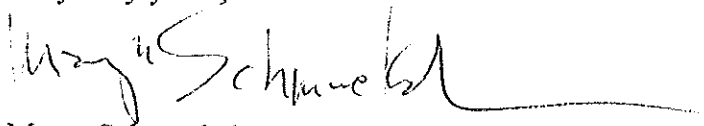
I am in receipt of your request for a determination letter concerning the Property.

The Property is located within the B-3 Downtown Business Zone with a Pedestrian Activities District (PAD) Overlay along Fore and Exchange Streets. The PAD 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 copies of a permit and site plan review documentation.

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 that reads "Marge Schmuckal". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Marge Schmuckal
Zoning Administrator

Enclosures

Cc: file

APPLICATION FOR CERTIFICATE OF OCCUPANCY FOR USE OF PREMISES

Portland, Maine 11-8-79

Location 195 Middle Street Zone B-3

To the INSPECTOR OF BUILDINGS, Portland, Maine

The undersigned hereby applies for a certificate of occupancy to allow the use of the above named premises for Parking Lot as set forth on the attached site plan (made by Pizzagalli Const. Plaza Realty whose address is 1 Canal Plaza) to show compliance with the Zoning Ordinance according to the intended use and the zone in which the property is located; and in accordance with the following pertinent information:-

Owner (name, address and phone number) Plaza Realty

Lessee (name, address and phone number) _____

Is proposed use to be accessory to a building or other use on this lot? IBM. If so, what is use of building or other use office bldg.

If off-street parking is sought, what is proposed maximum number of vehicles to be parked - passenger cars? 30, commercial vehicles _____.

Have you secured on the site plan the written approval of existing and proposed entrances to and exits from the premises for vehicles over public sidewalks by the Traffic Engineer (Dept. of Public Works)? _____ And, if access to the premises is available from more than one street, have you secured similar approval by the Planning Board? _____

Have you shown on the site plan the true location of all trees on the public street along the frontage of the premises (both streets if a corner lot)? no trees

Do you propose to remove or disturb any tree on a public street? no. If so, have you secured on the site plan the written approval of the Director of Parks and Recreation? _____

Signature of Owner Pizzagalli Const.
By Arthur P. Libour Supl.
(duly authorized thereto)

THIS IS NOT A CERTIFICATE OF OCCUPANCY

To:

COMMENCING the above proposes use of the premises would be IN VIOLATION of the Zoning Ordinance unless a Certificate of Occupancy is first procured from the Department of Building Inspection.

However, improvement of the premises according to the site plan and the above application may now proceed without further authorization, but subject to the conditions indicated below - notice of readiness for final inspection to be given to this department when the premises have been placed in compliance with the requirements:-

(Date) 11/9/79

Walter W. D.D.
Inspector of Buildings

PERMIT ISSUED

CITY OF PORTLAND, MAINE

SITE PLAN REVIEW

Processing Form

201

Aliza Realty

11-7-79

Date

Wilmington, Vt. 05401

195 Middle St.

Address of Proposed Site

Garage for 30 cars

32-H-Part of 4

Site Identifier(s) from Assessors Maps

B-3

Zoning of Proposed Site

Ground Floor Coverage

View (DEP) Required: () Yes () No

Proposed Number of Floors

Board Action Required: () Yes () No

Total Floor Area

Board Action Required: () Yes () No

Comments:

Dept. Review Due:

BUILDING DEPARTMENT SITE PLAN REVIEW

(Does not include review of construction plans)

- Use does NOT comply with Zoning Ordinance
 - Requires Board of Appeals Action
 - Requires Planning Board/City Council Action

Explanation

- Use complies with Zoning Ordinance — Staff Review Below

Zoning, SPACE & BULK, as applicable

	DATE	ZONE LOCATION	INTERIOR OR CORNER LOT	40 FT. SETBACK AREA (SEC. 21)	USE	SEWAGE DISPOSAL	REAR YARDS	SIDE YARDS	FRONT YARDS	PROJECTIONS	HEIGHT	LOT AREA	BUILDING AREA	AREA PER FAMILY	WIDTH OF LOT	LOT FRONTAGE	OFF-STREET PARKING	LOADING BAYS	
COMPLIES																			
COMPLIES CONDITIONALLY																			
DOES NOT COMPLY																			

CONDITIONS SPECIFIED BELOW

REASONS SPECIFIED BELOW

REASONS:

SIGNATURE OF REVIEWING STAFF/DATE

BUILDING DEPARTMENT - ORIGINAL