



Planning & Urban Development Department

Jeff Levine, AICP, Director
Marge Schmuckal, Zoning Administrator

March 25, 2014

Mechanic's Savings Bank
100 Minot Avenue
Auburn, Maine 04210-0400

RE: 160 Preble Street, Portland, Maine; 34-K-1 (the "Premises")

The undersigned hereby certifies with respect to the above-referenced property owned by 160 Preble, LLC and described on the attached **Exhibit A**:

1. The applicable zoning code affecting the Premises is as follows:
Zoning Ordinance of the City of Portland revised through August 15, 2013.
2. The Premises are located in the following zoning district under the Zoning Ordinance:
The B-7 Mixed Development District Zone, and the current use of the property as a commercial office building is a permitted use thereunder.
3. There are no known, unresolved, violations or pending enforcement actions with respect to any applicable zoning codes, City ordinances, or building, environmental, or energy codes, ordinances, or regulations except as follows:

NONE UNRESOLVED VIOLATIONS EXIST

A certificate of occupancy for the change of use permit #09-0182 has never been issued.

4. The following permits and approvals, as applicable to the Premises, have been obtained:

- (a) Certificate of Occupancy - missing
- (b) [N/A] Conditional Use Approval
- (c) Site Plan Approval – received exemption #2009-0027
- (d) [N/A] Subdivision Approval
- (e) Building permit - #09-0182
- (f) [N/A] Condominium Conversion

Signed: _____

Marge Schmuckal
Zoning Administrator
City of Portland, Maine

Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

Maug
Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP
Planning

John N. Lufkin
Economic Development

February 2, 2004

Mr. Dan Riley
Sebago Technics
One Chabot Street
PO Box 1339
Westbrook ME 04098-1339

RE: Hollywood Video, 160 Preble Street, #2003-0233
CBL: 034-K-001

Dear Mr. Riley:

On January 30, 2004, the Portland Planning Authority reviewed and approved for site plan review a proposed Hollywood Video store in the vicinity of 160 Preble Street subject to the following conditions:

1. That all exterior signage including lighting related to the signage shall be submitted for review and approval by the Planning Division.
2. That the Preble Street doorway shall be functional and open as a customer entrance for ingress and egress.
3. That an acceptable sidewalk easement along Hanover Street and Preble Street shall be submitted to the Planning Division for review and approval.
4. That the revised drainage plan with the parking lot catch basin and the stormwater water quality unit plan shall be reviewed and approved by Public Works.

Where submission drawings are available in electronic form, the applicant shall submit any available electronic CADD.DXF files with seven sets of final plans.

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.

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

O:\PLANDEV\REVW\PREBLE\160\APPROVALLETTER2-29-04.DOC

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. A performance guarantee in a form acceptable to the City of Portland and an inspection fee equal to 2.0% of the performance guarantee will have to be posted before beginning any site construction or issuance of a building permit.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
4. Prior to construction, a pre-construction 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 pre-construction meeting.
5. 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. 8822. (Only excavators licensed by the City of Portland are eligible.)
6. Where submission drawings are available in electronic form, the applicant shall submit any available electronic CADD.DXF files with seven sets of final plans.

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please note that no Certificates of Occupancy will be issued until all site improvements have been completed and inspected in the field by the Development Review Coordinator. If there are any questions, please contact Sarah Hopkins at 874-8720.

Sincerely,



Alexander Jaegerman
Planning Division Director

cc: Lee D. Urban, Planning and Development Department Director
Sarah Hopkins, Development Review Program Manager
Richard Knowland, Senior Planner
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Michael Bobinsky, Public Works Director
Karen Dunfey, Inspections

City of Portland, Maine - Building or Use Permit Application
 389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 09-0182	Issue Date:	CBL: 034 K001001
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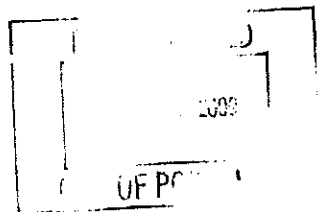
Location of Construction: 160 PREBLE ST	Owner Name: UNIQUE PROPERTIES LLC	Owner Address: PO BOX TWO	Phone:
Business Name:	Contractor Name: Monaghan Woodworks, Inc.	Contractor Address: 100 Commercial St Suite 311 Portland	Phone: 2077752683
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	Zone: B-7

Past Use: Commercial "Hollywood Video"	Proposed Use: Commercial - Office - Turner Barker Insurance Company - Change of use from Retail to Office for "Turner barker Insurance" w/ tenant fit-up	Permit Fee: \$585.00	Cost of Work: \$48,770.00	CEO District: 1
		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied * See Conditions	INSPECTION: Use Group: B Type: SB IBC-2009	

Proposed Project Description: Change of use from Retail to Office for "Turner barker Insurance" w/ tenant fit-up	Signature: <i>(Signature)</i>	Signature: <i>(Signature) 3/31/09</i>
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		
Signature: _____ Date: _____		

Permit Taken By: Ldobson	Date Applied For: 03/10/2009	Zoning Approval	
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- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
- Building permits do not include plumbing, septic or electrical work.
- Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.



Special Zone or Reviews	Zoning Appeal	Historic Preservation
<input type="checkbox"/> Shoreland	<input type="checkbox"/> Variance	<input checked="" type="checkbox"/> Not in District or Landmark
<input type="checkbox"/> Wetland	<input type="checkbox"/> Miscellaneous	<input type="checkbox"/> Does Not Require Review
<input type="checkbox"/> Flood Zone	<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Requires Review
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Interpretation	<input type="checkbox"/> Approved
<input checked="" type="checkbox"/> Site Plan Exemption	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved w/Conditions
Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/>	<input type="checkbox"/> Denied	<input type="checkbox"/> Denied <i>(Signature)</i>
Date: _____	Date: _____	Date: _____

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE



**Application for Exemption from Site Plan Review
Portland, Maine**

Department of Planning and Urban Development, Planning Division and Planning Board

2009 0027

<p>1. Applicant Information</p> <p><u>Unique Properties LLC</u> Applicant/Owner</p> <p><u>PO Box Two, Portland ME 04112</u> Mailing Address</p> <p><u>Brod Findlay - Manager Woodworks</u> Consultant/Agent</p> <p><u>775-2683 / 775-5410</u> Phone Fax Cell</p>	<p>2. Project Information</p> <p><u>3/11/09</u> Application Date</p> <p><u>160 Preble St</u> Project Name/Description Address of Proposed Site</p> <p><u>34-K-001</u> Assessor's Reference (Chart-Block-Lot)</p>
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Description of Proposed Development:

Change of use of 6600 sq ft from retail to office use. (Turner Becker Insurance, Co.)

MAR 23 2009

(Please Attach Sketch/Plan of Proposal/Development)

Criteria for Exemptions: (See Section 14-523 (4) on page 2 of this application)

	Applicant's Assessment (Yes, No, N/A)	Planning Division Use Only
a) Within Existing Structures: No New Buildings, Demolitions or Additions	<u>yes</u>	<u>✓</u>
b) Footprint Increase Less Than 500 sq. ft.	<u>no increase</u>	<u>yes</u>
c) No New Curb Cuts, Driveways, Parking Areas	<u>yes</u>	<u>✓ with condition</u>
d) Curbs and Sidewalks in Sound Condition/Comply with ADA	<u>yes</u>	<u>✓</u>
e) No Additional Parking/No Traffic Increase	<u>yes</u>	<u>✓</u>
f) No Known Stormwater Problems	<u>yes</u>	<u>✓</u>
g) Sufficient Property Screening Exists	<u>yes</u>	<u>✓</u>
h) Adequate Utilities	<u>yes</u>	<u>✓</u>

Planning Division Use Only

Exemption Granted X Partial Exemption _____ Exemption Denied _____

1. That the Beble Street driveway shall be functional and open as a customer entrance for ingress and egress (original condition of approval from 2004)

2. All building permits and a change of use shall be obtained from the Inspections Division.

Planner's Signature Sabrina Bandyk Date March 20, 2009

Original - Planning Division

Copy - Inspections Division and Applicant

CITY OF PORTLAND ZONING LETTER

March 12, 2014

Mechanic's Savings Bank
100 Minot Avenue
Auburn, Maine 04210-0400

Re: 160 Preble Street, Portland, Maine; 34-K-1 (the "Premises")

To Whom It May Concern:

The undersigned hereby certifies with respect to the above-referenced property owned by 160 Preble, LLC and described on the attached Exhibit A:

1. The applicable zoning code affecting the Premises is as follows:

Zoning Ordinance of the City of Portland revised through August 15, 2013.

2. The Premises are located in the following zoning district under the Zoning Ordinance: ~~Urban Commercial Business - B7~~, and the current use of the property as a commercial office building is a permitted use thereunder. *mixed Development District Zone*

3. There are no known, unresolved, violations or pending enforcement actions with respect to any applicable zoning codes, City ordinances, or building, environmental, or energy codes, ordinances, or regulations except as follows:

[] NONE [] UNRESOLVED VIOLATIONS EXIST

If there are any known, unresolved violations, the following summarizes the nature of such violations:

4. The following permits and approvals, as applicable to the Premises, have been obtained:

- (a) [] [] Certificate of Occupancy.
- (b) [] [] Conditional Use Approval.
- (c) [] [] Site Plan Approval.
- (d) [] [] Subdivision Approval.
- (e) [] [] Building Permit.
- (f) [] [] Condominium Conversion.
- (g) [] [] Other: _____

Signature of Authorized Person: _____
Typed or Printed Name of Signatory: Marge Schmuckal
Title of Signatory: Zoning Administrator
City or Other Governmental Agency: City of Portland, Zoning Administration

Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

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Best viewed at 800x600, with internet Explorer

CBL 034 K001001
Land Use Type RETAIL & PERSONAL SERVICE
 Verify legal use with Inspections Division
Property Location 160 PREBLE ST
Owner Information 160 PREBLE LLC
 65 TOWN FARM RD
 BUXTON ME 04093
Book and Page 30862/155
Legal Description 34-K-1
 PREBLE ST 152-162
 HANOVER ST 113-121
 21202 SF
Acres 0.4867

Current Assessed Valuation:

TAX ACCT NO.	5212	OWNER OF RECORD AS OF APRIL 2013
LAND VALUE	\$315,300.00	UNIQUE PROPERTIES LLC
BUILDING VALUE	\$366,000.00	PO BOX TWO
NET TAXABLE - REAL ESTATE	\$681,300.00	PORTLAND ME 04112
TAX AMOUNT	\$13,224.04	

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](#).

Building Information:

Building 1
Year Built 1950
Style/Structure Type RETAIL - SINGLE OCCUPANCY
Units 1
Building Num/Name 1 - TURNER BARKER INSURANCE
Square Feet 6600

[View Sketch](#)

[View Map](#)

[View Picture](#)

Exterior/Interior Information:

Building 1
Levels 01/01
Size 6600
Use MULTI-USE OFFICE
Height 20
Walls CONC. BLOCK
Heating HOT AIR
A/C CENTRAL

Outbuildings/Yard Improvements:

Building 1
Year Built 1990

34-K-1



CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

RECEIPT OF FEES

Application No: 0000-1868	Applicant: 160 PREBLE LLC
Project Name: 160 PREBLE ST	Location: 160 PREBLE ST
CBL: 034 K001001	Application Type: Determination Letter
Invoice Date: 03/18/2014	

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

CBL 034 K001001
Bill to: 160 PREBLE LLC
 65 TOWN FARM RD
 BUXTON, ME 04093

Application No: 0000-1868
Invoice Date: 03/18/2014
Invoice No: 44424
Total Amt Due: \$0.00
Payment Amount: \$150.00

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/planning/permitstatus.asp>



Drummond & Drummond

A Limited Liability Partnership
Counselors at Law

One Monument Way, Portland, Maine 04101

RECEIVED

MAR 14 2014

Dept. of Building Inspections
City of Portland Maine

Wadleigh B. Drummond
1885-1979
Josiah H. Drummond
1914-1991

Of Counsel
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Paul M. Koziell

Telephone: 207-774-0317
Facsimile: 207-761-4690
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Douglas F. Britton
Scott E. Herrick
Christopher E. Pazar
Stephanie N. Strouse
Nathaniel R. Huckel-Bauer
Julia G. Pitney
Heather T. Whiting
Andrew P. Pierce
Nicholas R. Loukes
Patrick C. Lever

March 12, 2014

Marge Schmuckal, Zoning Administrator
City of Portland
City Hall
389 Congress Street, Room 315
Portland, Maine 04101

*current
Both B-7 Zone*

Re: Zoning Determination letters
71 Marginal Way - 034-K-293
160 Preble Street

*034-K-1 - Turner BAKER INS. used to be
Hollywood
video*

Dear Marge,

Enclosed please find a check to the City of Portland, ME in the amount of \$300.00 as payment for two Zoning Determination letters for property located at 71 Marginal Way and 160 Preble Street.

Please do not hesitate to contact our office if you should have any questions.

Best regards,

Bobbi Dauphinee

Bobbi Dauphinee
Legal Assistant

Encl.

Marge Schmuckal - Zoning Determination Letters - 160 Preble Street [34-K-1] / 71 Marginal Way [34-K-2-3]

From: "Loukes, Nicholas" <NLoukes@ddlaw.com>
To: "Marge Schmuckal" <MES@portlandmaine.gov>
Date: 3/12/2014 10:40 AM
Subject: Zoning Determination Letters - 160 Preble Street [34-K-1] / 71 Marginal Way [34-K-2-3]
CC: <DBritton@DDLAW.COM>
Attachments: Zoning Ltr (71 Marginal Way).docx; Zoning Ltr (160 Preble).docx

Good Morning Marge:

Our firm represents 71 Marginal Way, LLC and 160 Preble Street, LLC owners of property located at 71 Marginal Way and 160 Preble Street, respectively, in Portland. As a part of a refinancing deal, with a target closing date of March 19th, we have been asked to provide a zoning opinion and could use your assistance to that end. Attached are draft zoning determination letters for your review for the two properties. Two checks in the amount of \$150.00 will follow today by mail.

Please let me know if you need any additional information, and thank you for your assistance on this matter.

Nick

Nicholas R. Loukes, Esq.
Drummond & Drummond, LLP
One Monument Way, Portland, Maine 04101
(207) 774-0317, ext. 111
nloukes@ddlaw.com

Bio: www.ddlaw.com/nloukes.html

Firm website: www.ddlaw.com

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IRS CIRCULAR 230 DISCLOSURE: To ensure compliance with requirements imposed by the IRS, we inform you that any tax advice contained in this communication, unless expressly stated otherwise, was not intended or written to be used, and cannot be used, for the purpose of (1) avoiding tax-related penalties under the Internal Revenue Code or (2) promoting, marketing, or recommending to another party any tax-related matter(s) addressed herein.

Marge Schmuckal - RE: Zoning Determination Letters - 160 Preble Street [34-K-1] / 71 Marginal Way [34-K-2-3]

From: "Loukes, Nicholas" <NLoukes@ddlaw.com>
To: "Marge Schmuckal" <MES@portlandmaine.gov>
Date: 3/14/2014 2:28 PM
Subject: RE: Zoning Determination Letters - 160 Preble Street [34-K-1] / 71 Marginal Way [34-K-2-3]
CC: <DBritton@DDLAW.COM>

Marge:

At your convenience, please confirm receipt of the below email and the check for \$300.00 (for the two letters) that followed in the mail. Also, do you think you'll be able to provide the determination letters my March 19th.

Thank you very much for your help on this matter.

Nick

From: Loukes, Nicholas
Sent: Wednesday, March 12, 2014 10:40 AM
To: 'Marge Schmuckal'
Cc: Britton, Douglas F. (DBritton@DDLAW.COM)
Subject: Zoning Determination Letters - 160 Preble Street [34-K-1] / 71 Marginal Way [34-K-2-3]

Good Morning Marge:

Our firm represents 71 Marginal Way, LLC and 160 Preble Street, LLC owners of property located at 71 Marginal Way and 160 Preble Street, respectively, in Portland. As a part of a refinancing deal, with a target closing date of March 19th, we have been asked to provide a zoning opinion and could use your assistance to that end. Attached are draft zoning determination letters for your review for the two properties. Two checks in the amount of \$150.00 will follow today by mail.

Please let me know if you need any additional information, and thank you for your assistance on this matter.

Nick

Nicholas R. Loukes, Esq.
Drummond & Drummond, LLP
One Monument Way, Portland, Maine 04101
(207) 774-0317, ext. 111
nloukes@ddlaw.com

Bio: www.ddlaw.com/nloukes.html

Firm website: www.ddlaw.com

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