



PORTLAND MAINE

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

March 25, 2010

Thomas G. Leahy, Esq.
Monaghan Leahy, LLP
P.O. Box 7046
Portland, ME 04112

Brian Desjardins, Vice President
Norway Savings Bank
120 Exchange Street
Portland, ME 04101

Mark F. Stickney
14 Partridge Drive
Cumberland, Maine 04021-3510

RE: 16 Casco Street – Tax Map 037-C-010-001

To Whom it May Concern:

In my capacity as the Zoning Administrator for the City of Portland, I hereby certify that the following is true:

1. The property above is classified B-3, Downtown Business Zone with an Old Port Overlay Zone, under the Land Use Zoning Ordinance.
2. The property is a lawfully created parcel according to applicable subdivision laws, including 30-A, M.R.S.A. Section 4401, et seq., and regulations and ordinances adopted pursuant thereto, including the Portland Land Use Code.
3. The last approved use for the property was offices based upon issued building permits. Please note that in January 2008 a permit (#07-1519) was issued for interior demolition for future tenant(s). There was a zoning condition placed upon that permit that stated, "This permit is for demolition only. The use will be established when the separate permit is filed for the construction work for the future tenant." There was no future permit establishing the tenancy for the property. The City of Portland has not given final approvals for occupancy of the property at this time.
4. No current Certificates of Occupancy exist for the property at this time. Based upon the Assessor's records, this property was developed prior to 1900. The City of Portland's current Land Use Zoning Ordinance was adopted June 5, 1957. The described property was developed prior to the City Land Use

Ordinance and may be legally nonconforming as to current dimensional requirements. I have not been supplied with any information or plans concerning building elevations, floor plans or site plan(s) to evaluate this property further.

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

MONAGHAN LEAHY, LLP

ATTORNEYS AT LAW

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KEVIN G. LIBBY
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95 EXCHANGE STREET
P.O. BOX 7046
PORTLAND, MAINE
04112-7046

TEL 207-774-3906
FAX 207-774-3833

March 16, 2010

Marge Schmuckal
Planning and Urban Development
City of Portland
389 Congress Street, Room 315
Portland, Maine 04101

RE: 16 Casco Street, Tax Map 037-C-010-001

Dear Marge,

Enclosed please find the sample format that you can use as a reference for a determination letter for the above property. Also enclosed please find our check in the amount of \$150.00 as required.

Thank you for your assistance in this regard.

Regards,

Monaghan Leahy, LLP


Evelyn H. King, Paralegal

B-3
not a list
MAR 16 2010

Marge Schmuckal
Planning and Urban Development
City of Portland
389 Congress Street, Room 315
Portland, Maine 04101

March _____, 2010

Thomas G. Leahy, Esq.
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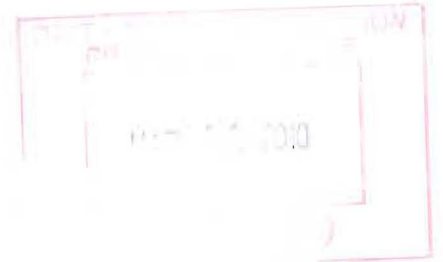
Mark F. Stickney
14 Partridge Drive
Cumberland, Maine 04021-3510

RE: 16 Casco Street, Tax Map 037-C-010-001

To Whom It May Concern:

In my capacity as an Inspector for the City of Portland, I hereby certify that the following is true:

1. The property above is classified B-3, Downtown Business Zone, under the Portland Code.
2. The property is a lawfully created parcel according to applicable subdivision laws, including 30-A, M.R.S.A. Section 4401, et seq., and regulations and ordinances adopted pursuant thereto, including the Portland Code.
3. There are no current zoning, subdivision, land use or code violations of record in the City of Portland concerning the Property.
4. Based on the Certificates of Occupancy, the buildings and structures on the Property complied with the dimensional requirements, (area, width, or depth of the land as a building site for the structure; floor space area of the structure; setback of the structure from the property lines of the land; height of the structure) and parking requirements of the Portland Code at the time they were constructed



and are not required to comply with current dimensional and parking requirements.

5. The current uses of the Property, general business and professional offices, comply with the current use regulations of the Portland Code.

Regards,

City of Portland
Inspections Division Services

By Marge Schmuckal

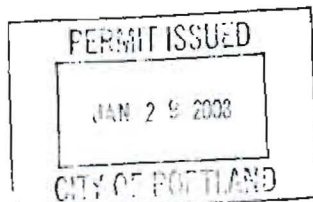
City of Portland, Maine - Building or Use Permit Application
 389 Congress Street, 04101 Tel: (207) 874-8703, Fax (207) 874-8716

Permit No: 07-1519	Issue Date:	CBL: 037 C010001
-----------------------	-------------	---------------------

Location of Construction: 16 CASCO ST	Owner Name: SURVEY PROPERTIES INC & LU	Owner Address: 16 CASCO ST	Phone:
Business Name:	Contractor Name: CMCS LLC	Contractor Address: 1208 River Rd Clinton	Phone: 2078416184
Lessee/Buyer's Name	Phone:	Permit Type: <i>Demolition - Interior Additions - Multi-Family</i>	Zone: B-3

Past Use: Commercial	Proposed Use: Commercial - Phase I Selective interior Demolition for future tenant, Repair stairs for egress, Reconfigure floor plan	Permit Fee: \$280.00	Cost of Work: \$26,000.00	CEO District: 1
Proposed Project Description: Phase I Selective interior Demolition for future tenant, Repair stairs for egress, Reconfigure floor plan		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied <i>See Conditions</i>	INSPECTION: Use Group <i>B</i> Type <i>3B</i> <i>Demolition</i>	
		Signature: <i>[Signature]</i>	Signature: <i>AMB 1/25/08</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: Idobson	Date Applied For: 12/21/2007	Zoning Approval		
1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules 2. Building permits do not include plumbing, septic or electrical work. 3. 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 <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <i>demolish only</i> <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date <i>12/26/07 AM</i>	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date	Historic Preservation <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date <i>AM</i>	



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

City of Portland, Maine - Building or Use Permit

189 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716


Permit No: 07-1519	Date Applied For: 12/21/2007	CBL: 037 C010001
-----------------------	---------------------------------	---------------------

Location of Construction: 16 CASCO ST	Owner Name: SURVEY PROPERTIES INC & LU	Owner Address: 16 CASCO ST	Phone:
Business Name:	Contractor Name: CMCS LLC	Contractor Address: 1208 River Rd Clinton	Phone: (207) 841-6184
Lessee/Buyer's Name	Phone:	Permit Type: Demolitions - Interior	

Proposed Use: Commercial - Phase I Selective interior Demolition for future tenant, Repair stairs for egress, Reconfigure floor plan	Proposed Project Description: Phase I Selective interior Demolition for future tenant, Repair stairs for egress, Reconfigure floor plan
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Dept: Zoning Status: Approved with Conditions Reviewer: Ann Machado Approval Date: 12/26/2007

Note: Ok to Issue: ✓

- 1) This permit is for demolition only. The use will be established when the separate permit is filed for the construction work for the future tenant. 
- 2) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

Dept: Building Status: Approved with Conditions Reviewer: Jeanine Bourke Approval Date: 01/25/2008

Note: Ok to Issue: ✓

- 1) This approves phase I only. If hazardous materials exist, proper documentation shall be filled with the DEP and this office for remediation.

Dept: Fire Status: Approved with Conditions Reviewer: Capt Greg Cass Approval Date: 12/26/2007

Note: Ok to Issue: ✓

- 1) Fire Alarm and sprinkler systems to be maintained OR a fire watch shall be posted.
- 2) All means of egress to be maintained during business hours.

Comments:

1/25/2008-jmb: Spoke with Ronald N. About the hazardous materials. Upon visual inspection no materials are evident. If observed, they will provide this office and DEP with remediation plan and document of survey.



BB BUSINESS ZONE

APPLICATION FOR PERMIT

Class of Building or Type of Structure Second Class
Portland, Maine August 8, 1963

PERMIT ISSUED
00963
AUG 8 1963
CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair demolish install the following building structure equipment in accordance with the laws of the State of Maine, the building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 16 Casco Street Within Fire Limits? _____ Dist. No. _____
Owner's name and address Portland Water District, 16 Casco St. Telephone _____
Lewnee's name and address _____ Telephone _____
Contractor's name and address Paul B McAllen Co, 92 Marginal Way Telephone 772-5951
Architect _____ Specifications yes Plans yes No. of sheets 2
Proposed use of building OFFICE No. families _____
Last use _____ No. families _____
Material brick No. stories 3 Heat _____ Style of roof _____ Roofing _____
Other buildings on same lot _____
Estimated cost \$ 6000.00 Fee \$ 12.00

General Description of New Work

To Change front of building as per plans and specifications.
(first floor)

Permit Issued with Letter

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. PERMIT TO BE ISSUED TO contractor

Details of New Work

Is any plumbing involved in this work? _____ Is any electrical work involved in this work? _____
Is connection to be made to public sewer? _____ 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 _____ Thickness, top _____ bottom _____ cellar _____
Kind of roof _____ Rise per foot _____ Roof covering _____
No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____
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? _____

APPROVED:

Miscellaneous

Will work require disturbing of any tree on a public street? no
Will there be in charge of the above work a person competent to

Assessor's Office • 189 Congress Street • Portland, Maine 04102 • Assessor • (207) 874-6800

City Home Departments City Council E-Services Calendar Jobs

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:

CBL 037 C010001
Land Use Type OFFICE & BUSINESS SERVICE
Property Location 16 CASCO ST
Owner Information 16 CASCO STREET LLC
 808 BERRY ST # 488
 SAINT PAUL, MN 55114
Book and Page 25382/056
Legal Description 37-C-10
 CASCO ST 13-14 CALLED 16
 TOLMAN PL
 11128 SF
Acres 0.255

B-3

Current Assessed Valuation:

TAX ACCT NO. 5514 **OWNER OF RECORD AS OF APRIL 2009**
 16 CASCO STREET LLC
LAND VALUE \$253,300.00 808 BERRY ST # 488
BUILDING VALUE \$487,400.00 ST PAUL, MN 55114
NET TAXABLE - REAL ESTATE \$740,700.00
TAX AMOUNT \$17,148.02

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

Building Information:

Card 1 of 1
Year Built 1900
Style/Structure Type DOWNTOWN ROW
Units 1
Building Num/Name 1 - AMERPRISE FINANCIAL
Square Feet 13104
[View Sketch](#) [View Map](#) [View Picture](#)



Exterior/Interior Information:

Card 1
Levels B1/B2
Size 3276
Use SUPPORT AREA
Height 8
Heating NONE
A/C NONE

Card 1
Levels 01/01
Size 3276
Use MULTI-USE OFFICE
Height 14
Walls BRICK/STONE
Heating HOT AIR
A/C CENTRAL

Card 1
Levels 02/03
Size 3276
Use MULTI-USE OFFICE
Height 17
Walls BRICK/STONE
Heating HOT AIR
A/C CENTRAL

Other Features:

Card 1
Structure ELEVATOR - EIRC PASSENGER
Size 2000X100

MONAGHAN LEAHY, LLP

ATTORNEYS AT LAW

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CHRISTOPHER C. DINAN
JOHN J. WALL, III
KENNETH D. PIERCE
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95 EXCHANGE STREET
P.O. BOX 7046
PORTLAND, MAINE
04112-7046

TEL 207-774-3906
FAX 207-774-3833

THOMAS F. MONAGHAN
OF COUNSEL

March 15, 2010

Marge Schmuckal
Planning and Urban Development
City of Portland
389 Congress Street
Portland, Maine 0410

RE: 16 Casco Street, Tax Map 037-C-010-001


Dear Marge,

As I mentioned in my phone message today, I am writing to request that you provide our office with a letter certifying that the current use of the property located at 16 Casco Street is authorized by the City's zoning ordinance, and that there are no pending violations of record. It is my understanding that this property is located in the Downtown Business District and it is currently owned by Branch Banking & Trust Company.

Thank you in advance for your assistance in this regard.

Regards,

Monaghan Leahy, LLP


Evelyn H. King, Paralegal

FAX

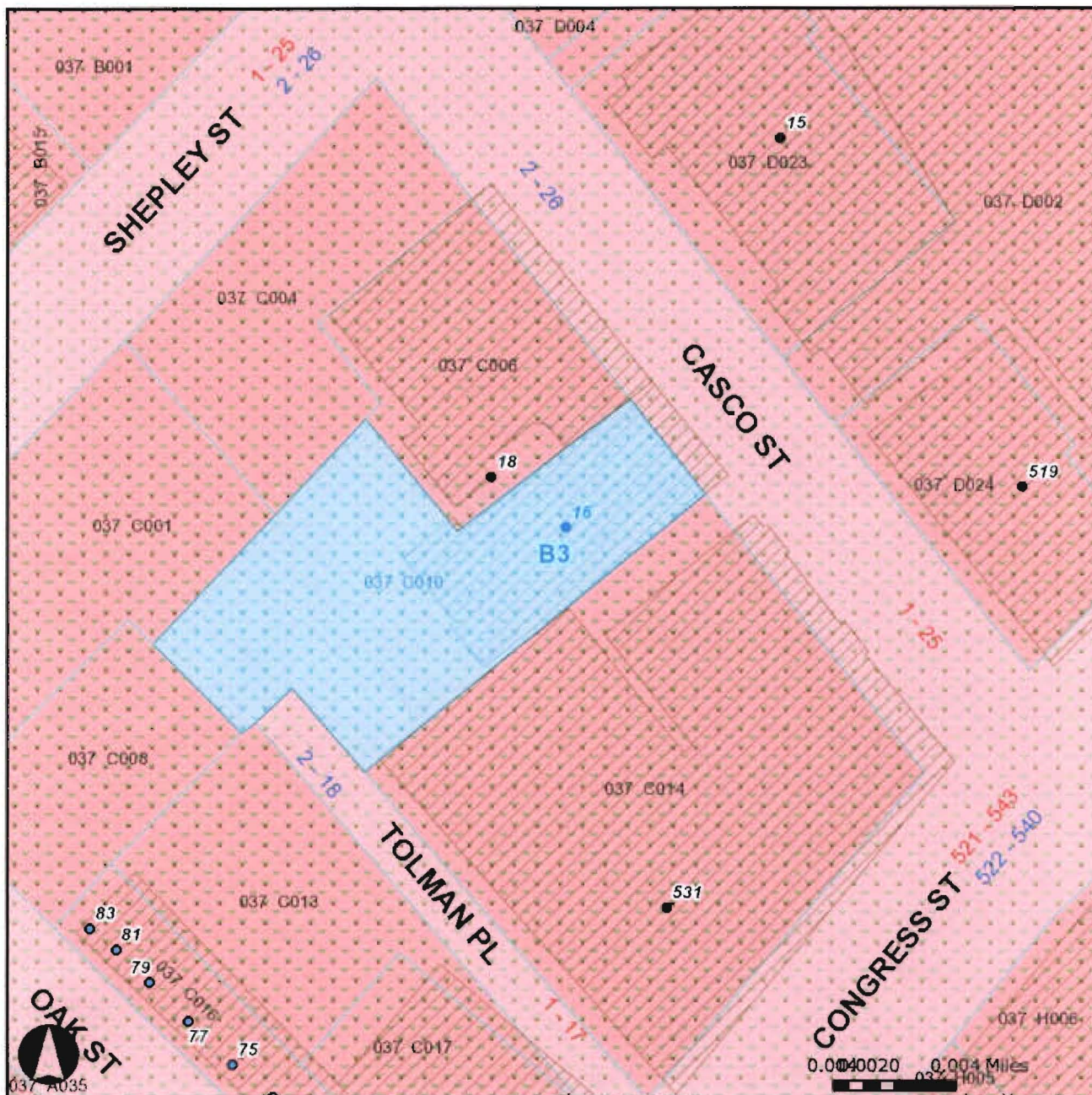


To: Evelyn King
Fax Number: 774-3833
From: Marge Schumetal
Fax Number:
Date: 3/16/10
Regarding: 16 CASCO ST
Total Number Of Pages Including Cover: 2
Phone Number For Follow-Up: 874-8695

Comments:

Evelyn,
I Am in receipt of your request for a determination letter concerning 16 Casco, Please Note There is a \$150 fee required, No work begins until All Aspects of the request have been filled -
Marge

Map



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



CITY OF PORTLAND, MAINE

Department of Building Inspections

Original Receipt

3 16 20 10

Received from Monaghan

Location of Work 16 Casco St

Cost of Construction \$ _____ Building Fee: _____

Permit Fee \$ _____ Site Fee: _____

Certificate of Occupancy Fee: _____

Total: 150

Building (1L) _____ Plumbing (1S) _____ Electrical (12) _____ Site Plan (U2) _____

Other _____

CBL: 37-C 10

Check #: 33451 Total Collected \$ 150

**No work is to be started until permit issued.
Please keep original receipt for your records.**

Taken by: S J. O.

RECEIVED

MAR 16 2010

WHITE - Applicant's Copy
YELLOW - Office Copy
PINK - Permit Copy

Dept. of Building Inspections
City of Portland Maine