



Planning & Urban Development Department

*Jeff Levine, AICP, Director*  
*Marge Schmuckal, Zoning Administrator*

Nicholas J. Morrill, ESQ.  
c/o Jensen-Baird Gardner-Henry  
Ten Free Street  
P.O. Box 4510  
Portland, Maine 04112-4510

RE: 511 Congress Street – 37-D-002 – (the "Property")

Dear Attorney Morrill,

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 Historic Overlay and a Pedestrian Activities District (PAD) Overlay and the Downtown Entertainment Overlay zones.

The current basic uses of the Property are retail and restaurants on the 1<sup>st</sup> floor with offices above. When the Property was reviewed, approved and constructed in 1973, section 602.10D of the B-3 Zone stated: "No off-street parking shall be required in this zone." Therefore the Property is legally nonconforming in regard to parking requirements.

To the best of my knowledge there are no known violations, existing or contemplated enforcement actions with regard to the Property. I have included copies of approvals, permits and certificates of occupancy for the Property.

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

Very truly yours,

A handwritten signature in black ink that reads "Marge Schmuckal".

Marge Schmuckal  
Zoning Administrator  
City of Portland, Maine



B3 BUSINESS ZONE

# APPLICATION FOR PERMIT

Class of Building or Type of Structure Bank Building

Portland, Maine, July 12, 1973

PERMIT RECEIVED  
00734  
JUL 12 1973  
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 499 Congress St., Portland, Me Within Fire Limits? Yes Dist. No. \_\_\_\_\_  
 Owner's name and address Maine Savings Plaza Trust, Casco Bldg Telephone \_\_\_\_\_  
 Lessee's name and address \_\_\_\_\_ Monument Sq Telephone \_\_\_\_\_  
 Contractor's name and address Consolidated Constructors & Builders Inc Telephone 774 2626  
 Architect \_\_\_\_\_ 616 Congress St on file No. of sheets \_\_\_\_\_  
 Specifications \_\_\_\_\_ Plans in office \_\_\_\_\_  
 Proposed use of building \_\_\_\_\_ No. families \_\_\_\_\_  
 Last use \_\_\_\_\_ No. families \_\_\_\_\_  
 Material \_\_\_\_\_ No. stories \_\_\_\_\_ Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
 Other buildings on same lot \_\_\_\_\_  
 Estimated cost \$ \_\_\_\_\_

Fee \$ included under building "A"

### General Description of New Work

Masonry and steel frame construction as per plans

Permit is for building B, a two story banking hall and building C, a one story retail building. (as per plan submitted with this application.)

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

### 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? \_\_\_\_\_

### Miscellaneous

Will work require disturbing of any tree on a public street? \_\_\_\_\_  
 Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are \_\_\_\_\_

APPROVED:

R.L.B., E.S.S. 8/19/73

PERMIT ISSUED

(COPY)

CITY OF PORTLAND, MAINE  
Department of Building Inspection



# Certificate of Occupancy

LOCATION 499 Congress Street

Issued to **Maine Savings Plaza Trust**

Date of Issue **May 22, 1975**

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. **73/734**, 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

entire

APPROVED OCCUPANCY

Bank, office space and retail stores.

Limiting Conditions:

none

This certificate supersedes certificate issued

Approved:  
**7/22/75**

(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**  
**SITE PLAN REVIEW**  
 Processing Form

*Planning*

Spencer Jones - 772-2257

Sept 8, 1989  
 Date

Mine Savings Plaza Trust

Applicant  
 c/o Farnard and Co., Suite 104, Mine Savings  
 Mailing Address Plaza, Portland 04101  
 Renovation of pedestrian walkway

499-513 Congress St.

Address of Proposed Site

37-D-2

Site Identifflnr(s) from Assessors Maps

D-3

Proposed Use of Site  
 1/10 4500 sq ft

Zoning of Proposed Site

Acreeage of Site / Ground Floor Coverage

Site Location Review (DEP) Required: ( ) Yes ( ) No

Proposed Number of Floors n/a

Board of Appeals Action Required: ( ) Yes ( ) No

Total Floor Area 4500 sq ft

Planning Board Action Required: ( ) Yes ( ) No

Other Comments: **\*\* MINOR SITE PLAN REVIEW \*\*** 7 sets of plans submitted.

Date Dept. Review Due:

**PLANNING DEPARTMENT REVIEW**

(Date Received)

- Major Development — Requires Planning Board Approval; Review Initiated
- Minor Development — Staff Review Below

	LOADING AREA	PARKING	CIRCULATION PATTERN	ACCESS	PEDESTRIAN WALKWAYS	SCREENING	LANDSCAPING	SPACE & BULK OF STRUCTURES	LIGHTING	CONFLICT WITH CITY PROJECTS	FINANCIAL CAPACITY	CHANGE IN SITE PLAN
APPROVED	-	-	✓	✓	✓	-	✓	-	✓	✓	✓	✓
APPROVED CONDITIONALLY											✓ see below	CONDITIONS SPECIFIED BELOW
DISAPPROVED												REASONS SPECIFIED BELOW

REASONS: Approved, building permit should be issued.  
The applicant will provide a performance guarantee  
within two weeks.

(Attach Separate Sheet if Necessary)

*Philip L Meyer* 9-27-90  
 SIGNATURE OF REVIEWING STAFF/DATE

PLANNING DEPARTMENT COPY



CITY OF PORTLAND, MAINE

389 CONGRESS STREET  
PORTLAND, MAINE 04101  
(207)874-8300

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

October 1, 1990

**P. SAMUEL HOFFSES, CHIEF**  
INSPECTION SERVICES DIVISION

Maine Savings Plaza Trust  
c/o Finard and Co., Suite 704  
Maine Savings Plaza  
Portland, ME 04101

RE: 499-513 Congress Street

Dear Sir:

Your application to renovate pedestrian walkway has been reviewed and a permit is herewith issued subject to the following requirement(s).

No certificate of occupancy can be issued until all requirements of this letter are met.

Site Plan Review Requirements

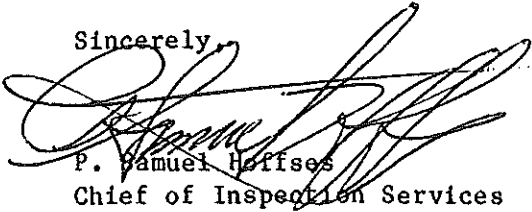
Inspection Services - Approved - W. Giroux  
Fire Department - Approved - Lt. Garroway  
Planning Division - Approved - P. Meyer  
Public Works - Approved - S. Hartris

Building Code Requirements

1. Protection during construction shall be in accordance with sections 30120.0 and 3007.0 of the building code.
2. All guards and handrails shall be in accordance with section 827.0 (guards) and section 828.0 (handrails) of the building code.

If you have any questions regarding these requirement(s), please do not hesitate to contact this office.

Sincerely,

  
P. Samuel Hoffses  
Chief of Inspection Services

cc: P. Niehoff - Public Works  
S. Harris - Public Works  
W. Giroux - Inspections  
P. Meyer - Planning

PSH/ljh



CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 511 Congress St.

Issued to D'Angelo's Sandwich Shop

Date of Issue

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. 94/0930, 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

Restaurant

Limiting Conditions:

This certificate supersedes  
certificate issued

Approved:

11/9/94 *Murphy Wing*  
\_\_\_\_\_  
(Date) *MR* Inspector

*[Signature]*  
\_\_\_\_\_  
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 511 Congress St

Issued to October Corporation

Date of Issue 21 November 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. 950999, 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

8th & 9th Floors

Limiting Conditions:

APPROVED OCCUPANCY

Office Space

"Acadia Trust"

This certificate supersedes  
certificate issued

Approved:

11/21/95 *Maureen King*  
\_\_\_\_\_  
(Date) Inspector

*Mary Schenk*  
\_\_\_\_\_  
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 511 Congress St

Issued to October Corporation

Date of Issue 19 November 1996

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. 960942, 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

2nd fl, 3rd fl, 4th fl,  
and partial basement

APPROVED OCCUPANCY

Office Space

**Limiting Conditions:**

Label panels, install signage for all electrical room and clean-up electrical rooms within 10 days.

This certificate supersedes  
certificate issued

Approved:

11/20/96  
(Date)

*[Signature]*  
Inspector

*[Signature]*  
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.

*[Handwritten initials]*





CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 511 Congress St

Issued to October Corp.

Date of Issue 08 January 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. 961026, 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/Ground Level

APPROVED OCCUPANCY

Resource Library Center for  
Financial Services

Office Space

Limiting Conditions:

This certificate supersedes  
certificate issued

Approved:

1-8-97 *David Jordan*  
-----  
(Date) Inspector

*[Signature]*  
-----  
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 511 Congress St

CBL 037 D002001

Issued to Spring Street Limited /Reagan & Company

Date of Issue 03/15/2004

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. 04-0054, 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  
4th floor

APPROVED OCCUPANCY  
office space for Liberty Mutual Insurance Co  
use group:B  
type:3B  
BOCA 1999

Limiting Conditions:

This certificate supersedes  
certificate issued

Approved:

3/15/04  
\_\_\_\_\_  
(Date)

*A. Rowe*  
\_\_\_\_\_  
Inspector

*W. Clugst* 3/17/04  
\_\_\_\_\_  
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.

*MAD*  
*03/17/04*

*U. H. W.*

0008 0131



Application for Exemption from Site Plan Review  
Portland, Maine

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

Permit # 08 1102

1. Applicant Information	2. Project Information
<u>S11 PLAZA LIMITED PARTNERSHIP</u>	<u>9-2-2008</u>
Applicant/Owner <u>50 BOULDER PROPERTY MGMT</u>	Application Date <u>THAI CHOF BUFFET</u>
<u>ONE CANAL PLAZA, FIFTH FLOOR</u>	Project Name/Description <u>511 CONGRESS ST, PORTLAND</u>
Mailing Address <u>PORTLAND, ME 04102</u>	Address of Proposed Site <u>97 D 2</u>
Consultant/Agent <u>GRESS</u>	Assessor's Reference (Chart-Block-Lot) <u>ME 04101</u>
Phone <u>877299</u>	
Fax <u>415-7066</u>	
Cell <u></u>	

Description of Proposed Development:

Install EMERGENCY EGRESS DOORWAY only -  
REPLACE WINDOW - NO ENTRANCE ONTO STREET

(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>No</u>	<u>✓</u>
b) Footprint Increase Less Than 500 sq. ft.	<u>No</u>	<u>✓</u>
c) No New Curb Cuts, Driveways, Parking Areas	<u>No</u>	<u>✓</u>
d) Curbs and Sidewalks in Sound Condition/Comply with ADA	<u>No</u>	<u>✓</u>
e) No Additional Parking/No Traffic Increase	<u>No</u>	<u>✓</u>
f) No Known Storm water Problems	<u>No</u>	<u>✓</u>
g) Sufficient Property Screening Exists	<u>No</u>	<u>✓</u>
h) Adequate Utilities	<u>No</u>	<u>✓</u>

SEP - 8 2008

Planning Division Use Only

Exemption Granted X Partial Exemption      Exemption Denied     

Planner's Signature Barbara Barbylt Date Sept 6, 2008