

*Strengthening a Remarkable City, Building a Community for Life • [www.portlandmaine.gov](http://www.portlandmaine.gov)*

*Greg Mitchell - Acting Director of Planning and Urban Development  
Marge Schmuckal, Zoning Administrator*

November 21, 2011

Pierce Atwood  
Merrill's Wharf  
254 Commercial Street  
Portland, ME 04101  
Attn: Rebecca W. Greenfield

RE: 173-195 High St., corner of 416-434 Cumberland Ave., 38-56 Forest Ave. – 037-E-006 – Unit #9, Garage Unit – The Gateway, a Condominium (the “Property”) – B-3 and B-3c Zones with a Downtown Entertainment Overlay Zone

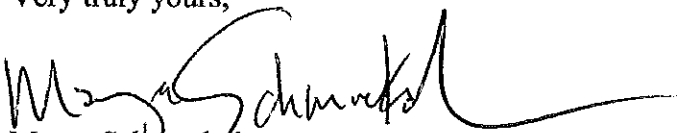
Dear Attorney Greenfield,

I am in receipt of your updated request for a determination letter concerning the Property. The Property is located in a B-3 and B-3c Zone with a Downtown Entertainment Overlay Zone. Both B-3 zones allow general business, professional offices and parking garages as listed permitted uses.

Our records indicate that all required reviews and permits for the Property have been received, reviewed and approved. To the best of my knowledge, the Property, as developed, conforms with all land use and development restrictions contained in City's ordinances, including applicable building, land use and subdivision regulations, and that all appropriate and required City permits, licenses, and approvals have been provided for the current use and development of the Property. I am unaware of any pending or contemplated land use or zoning actions with respect the Property.

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

Very truly yours,

  
Marge Schmuckal  
Zoning Administrator

REBECCA W. GREENFIELD

Merrill's Wharf  
254 Commercial Street  
Portland, ME 04101

PH 207.791.1246  
FX 207.791.1350  
rgreenfield@pierceatwood.com  
pierceatwood.com

November 18, 2011

VIA HAND DELIVERY

Ms. Marge Schmuckal  
Zoning Administrator/City of Portland  
Portland City Hall  
389 Congress Street  
Portland, Maine 04101

NOV 18 2011

Re: Unit 9 - The Gateway, a Condominium, 173-195 High Street (Gateway Garage)

Dear Ms. Schmuckal:

181 High Street LLC, a Maine limited liability company, is refinancing its property identified as Unit 9 in The Gateway, a Condominium, situated at 173-195 High Street in the City of Portland, more particularly identified on Tax Map 37, Block E, Lot 6, Unit 9 ("Property"). The Property is located in the B3c Downtown Business Zone. In the B3c Downtown Business Zone certain commercial uses are permitted, including general business and professional offices and parking garages.

We would appreciate your confirmation that the Property, as developed, conforms with all land use and development restrictions contained in all City's ordinances, including applicable building, land use and subdivision regulations, and that all appropriate and required City permits, licenses, and approvals have been provided for the current use and development of the Property. We also ask for your confirmation that you are unaware of any pending or contemplated land use or zoning actions with respect to the Property.

We ask that you confirm the above by signing at the bottom of this letter and returning it to us via facsimile at (207) 791-1350. Please send us the original by regular mail. Of course, if you have any questions, or require additional information, please do not hesitate to call me. Thank you in advance for your time and assistance.

Sincerely,

Rebecca W. Greenfield

Seen and agreed to:

\_\_\_\_\_  
Zoning Administrator for  
The City Of Portland

Date \_\_\_\_\_



# PORTLAND MAINE

*Strengthening a Remarkable City, Building a Community for Life* • [www.portlandmaine.gov](http://www.portlandmaine.gov)

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

*1st Letter*

NOV 1 2 2011

March 29, 2011

Pierce Atwood  
One Monument Square  
Portland, ME 04101  
Attn: Rebecca W. Greenfield

RE: 173-195 High St., corner of 416-434 Cumberland Ave., 38-56 Forest Ave. – B-3 and B-3c Zones with a Downtown Entertainment Overlay Zone - 037-E-006 – Unit #9, Garage Unit (the “Property”)

Dear Attorney Greenfield,

I am in receipt of your request for a determination letter concerning the Property. The Property is located in a B-3 and B-3c Zone with a Downtown Entertainment Overlay Zone. Both B-3 zones allow general business, professional offices and parking garages as listed permitted uses.

Our records indicate that all required reviews and permits for the Property have been received, reviewed and approved. To the best of my knowledge, all land use and subdivision regulations have appropriately been obtained. I am unaware of any pending or contemplated land use or zoning actions with respect to the Property. I am enclosing copies of permits and reviews concerning the Property.

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

Sincerely,

Marge Schmuckal  
Zoning Administrator

**Marge Schmuckal - FW: The Gateway Garage - 173-195 High Street**

**From:** "Rebecca Greenfield" <RGreenfield@pierceatwood.com>  
**To:** "Marge Schmuckal" <MES@portlandmaine.gov>  
**Date:** 11/18/2011 10:58 AM  
**Subject:** FW: The Gateway Garage - 173-195 High Street  
**Attachments:** determination letter.pdf; Updated Zoning Determination Letter (W2750513).DOCX

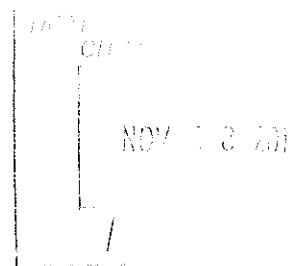
Hi Marge,

Last March you issued a zoning determination letter for the Gateway Garage in anticipation of a financing. While that financing was delayed, it is now back on track, but the lender involved has requested an updated zoning determination letter from your office. Attached is the determination letter you issued in March (together with your e-mail below). I have also attached an updated request letter. I will also send over a check to cover the issuance fee, but did want to get the request to you as soon as I could in light of the upcoming holiday week

Please do let me know if you have any questions .

Thanks.

Rebecca



**Rebecca W. Greenfield, Esq.**

PIERCE ATWOOD LLP

PH 207.791.1246

In accordance with I.R.S. Circular 230 we advise you that any tax advice in this email is not intended or written to be used, and cannot be used, by any recipient for the avoidance of penalties under federal tax laws.

**From:** Marge Schmuckal [mailto:MES@portlandmaine.gov]  
**Sent:** Tuesday, March 29, 2011 4:31 PM  
**To:** Rebecca Greenfield  
**Subject:** The Gateway Garage - 173-195 High Street

Rebecca,

I am attaching my unsigned letter to you. I have put the original with enclosures in the mail to you.  
Marge Schmuckal  
Zoning Administrator

REBECCA W. GREENFIELD

Merrill's Wharf  
254 Commercial Street  
Portland, ME 04101

PH 207.791.1246  
FX 207.791.1350  
rgreenfield@pierceatwood.com  
pierceatwood.com

November 18, 2011

VIA HAND DELIVERY

Ms. Marge Schmuckal  
Zoning Administrator/City of Portland  
Portland City Hall  
389 Congress Street  
Portland, Maine 04101

Re: Unit 9 - The Gateway, a Condominium, 173-195 High Street (Gateway Garage)

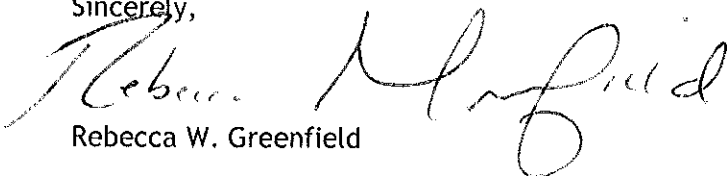
Dear Ms. Schmuckal:

181 High Street LLC, a Maine limited liability company, is refinancing its property identified as Unit 9 in The Gateway, a Condominium, situated at 173-195 High Street in the City of Portland, more particularly identified on Tax Map 37, Block E, Lot 6, Unit 9 ("Property"). The Property is located in the B3c Downtown Business Zone. In the B3c Downtown Business Zone certain commercial uses are permitted, including general business and professional offices and parking garages.

We would appreciate your confirmation that the Property, as developed, conforms with all land use and development restrictions contained in all City's ordinances, including applicable building, land use and subdivision regulations, and that all appropriate and required City permits, licenses, and approvals have been provided for the current use and development of the Property. We also ask for your confirmation that you are unaware of any pending or contemplated land use or zoning actions with respect to the Property.

We ask that you confirm the above by signing at the bottom of this letter and returning it to us via facsimile at (207) 791-1350. Please send us the original by regular mail. Of course, if you have any questions, or require additional information, please do not hesitate to call me. Thank you in advance for your time and assistance.

Sincerely,

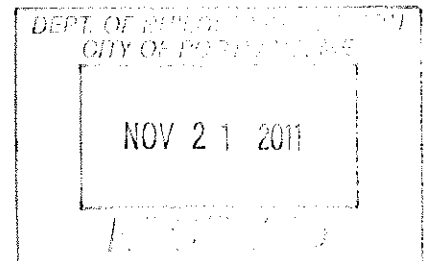


Rebecca W. Greenfield

Seen and agreed to:

\_\_\_\_\_  
Zoning Administrator for  
The City Of Portland

\_\_\_\_\_  
Date



FAX



To: Rebecca Greenfield

Fax Number: 791-1350

From: MARGE Schmuckal

Fax Number:

Date: 11/22/11

Regarding: The Gateway - unit #9 Def. LTR

Total Number Of Pages Including Cover: 2

Phone Number For Follow-Up: 874-8695

Rebecca,

Comments:

FYI - The original is in the mail

MARGE

City Of Portland, Maine  
Inspections Division Services  
389 Congress St Room 315 Portland Me 04101-3509  
Phone: (207) 874-8703 or (207) 874-8693  
Fax: (207) 874-8716  
<http://www.portlandmaine.gov/>

Date/Time: Nov. 22. 2011 10:39AM

File No.	Mode	Destination	Pg(s)	Result	Page Not Sent
0140	Memory TX	97911350	P. 2	OK	

Reason for error  
 E. 1) Hang up or line fail  
 E. 2) Busy  
 E. 3) No answer  
 E. 4) No facsimile connection  
 E. 5) Exceeded max. E-mail size

FAX



To: Rebecca Greenfield  
 Fax Number: 791-1350  
 From: MARGE Schmuckal  
 Fax Number:  
 Date: 11/22/11  
 Regarding: The Gateway - unit #9 Det, LTR  
 Total Number Of Pages Including Cover: 2  
 Phone Number For Follow-Up: 874-0695

Comments:  
 Rebecca,  
 FYI - The original is in the mail  
 Marge



# PORTLAND MAINE

*Strengthening a Remarkable City, Building a Community for Life • [www.portlandmaine.gov](http://www.portlandmaine.gov)*

Receipts Details:

**Tender Information:** Check , BusinessName: Pierce Attwood, Check Number: 68097  
**Tender Amount:** 150.00

Receipt Header:

**Cashier Id:** Ldobson  
**Receipt Date:** 11/22/2011  
**Receipt Number:** 13259

Receipt Details:

Referance ID:	279	Fee Type:	BP-DP
Receipt Number:	0	Payment Date:	
Transaction Amount:	150.00	Charge Amount:	150.00
Job ID: Miscellaneous charges			
Additional Comments: Zoning Determination 173 -195 High St			

Thank You for your Payment!