

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

Location of Construction: 261 Commercial St		Owner: Harbor Plaza Assoc		Phone:	
Owner Address: Box 3679 - Ptld ME 04104		Leasee/Buyer's Name:		Phone:	
Contractor Name: Everett Dobson & Sons		Address: 177 Gray Rd- Falmouth ME 04105		Phone: 797-2722	
Past Use: office bldg		Proposed Use: interior renovations - 2nd flr - office		COST OF WORK: \$ 60,000 PERMIT FEE: \$ 320 FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied INSPECTION: Use Group: Type: Signature: <i>[Signature]</i> Signature:	
Proposed Project Description: interior renovations - 2nd flr		PEDESTRIAN ACTIVITIES DISTRICT (P.U.D.) Action: Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied: <input type="checkbox"/> Signature: <i>[Signature]</i> Date: 10/25/96		Signature: <i>[Signature]</i>	
Permit Taken By: L Chase		Date Applied For: 10/18/96			

Permit No: **961079**

PERMIT ISSUED

OCT 28 1996

CITY OF PORTLAND

Permit Issued: **NOV 28 1996**

Zone: **B-3** CBL: **038-F-009**

Zoning Approval:

Special Zone or Reviews:

Shoreland
 Wetland
 Flood Zone
 Subdivision
 Site Plan maj minor mm

Zoning Appeal

Variance
 Miscellaneous
 Conditional Use
 Interpretation
 Approved
 Denied

Historic Preservation

Not in District or Landmark
 Does Not Require Review
 Requires Review

Action:

Approved
 Approved with Conditions
 Denied

Date: 10/28/96

[Signature]

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 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 provisions of the code(s) applicable to such permit

SIGNATURE OF APPLICANT: *[Signature]* ADDRESS: DATE: 10/18/96 PHONE:

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE: PHONE:

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

PERMIT ISSUED WITH REQUIREMENTS

CEO DISTRICT 2

[Signature]

Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

Ameresco Capital Corporation
c/o Ronald N. Ward
Drummond Woodsum & MacMahon
PO Box 9781
Portland, Maine 04104-5081

December 23, 1996

RE: 261 Commercial Street / 470 Fore Street - 38-F-9

Dear Mr. Ward,

We have been advised that Ameresco Capital Corp. is considering financing the above-described project. In that regard, we have been asked to provide you with certain zoning information in connection with this project.

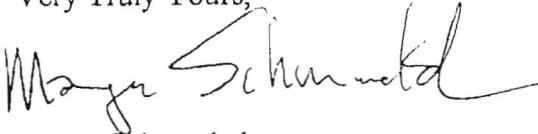
1. Current Zoning: The project is currently zoned B-3 which permits the use of office space, retail, personal services, and parking garages among other specified uses.
2. Conformance with Current Zoning Requirements: All the above described current uses (this office has not been provided with any other unknown use that may be presently existing there) appear to be conforming to the present Land Use Ordinance.
3. Right to Rebuild Following Casualty: Section 14-385 of the Land Use Ordinance states that reconstruction of nonconforming structures may take place when reconstruction occurs within one year of the initial damage where such damage is sudden and accidental.
4. Density Requirements: Not applicable.
5. Parking Spaces Required at Project: The B-3 Business Zone states that no off-street parking is required for changes of use (or interior alterations). Any further specifics related to these sites should be researched by you within our office.
6. No Violations: I am unaware of the existence of any violations or alleged violations of any zoning, subdivision, building or similar ordinances or regulations applicable to the project within the past three years. Please be aware that any further research may be done within our office using our microfiche.

12/23/96
38-F-009

038-F-009

If you should have any questions concerning this matter, you may contact me at (207) 874-8300
ex8695.

Very Truly Yours,

A handwritten signature in cursive script that reads "Marge Schmuckal". The signature is written in black ink and is positioned above the printed name.

Marge Schmuckal
Zoning Administrator

cc to: P. Samuel Hoffses, Chief of Inspection Services

DRUMMOND WOODSUM & MACMAHON

ATTORNEYS AT LAW

245 COMMERCIAL STREET

POST OFFICE BOX 9781

PORTLAND, MAINE 04104-5081

(207) 772-1941

FAX (207) 772-3627

HAROLD E. WOODSUM, JR.
HUGH G. E. MACMAHON
JOHN A. GRAUSTEIN
JOSEPH L. DELAFIELD III
DANIEL AMORY
ROBERT E. HIRSHON
HARRY R. PRINGLE
RICHARD A. SPENCER
DONALD A. KOPP
RONALD N. WARD
JOHN S. KAMINSKI
WILLIAM L. PLOUFFE
JERROL A. CROUTER
KEITH C. JONES
MICHAEL E. HIGH
RICHARD A. SHINAY

BRUCE W. SMITH
E. WILLIAM STOCKMEYER
BENJAMIN E. MARCUS
MELISSA A. HEWEY
ERIC R. HERLAN
GREGORY W. SAMPLE
MARK E. STANDEN
DAINA J. NATHANSON
BARBARA A. APPEBY
DANIEL J. ROSE
EDWARD J. KELLEHER
S. CAMPBELL BADGER
CHRISTOPHER G. JERNIGAN
AMY K. TCHAO
DEIRDRE M. SMITH
JESSICA S. KAPLAN

OF COUNSEL
DANIEL T. DRUMMOND, JR.

LEAVE OF ABSENCE
KATHLEEN BARRY

ROGER P. KELLEY
PAUL S. HURLBURT
LABOR RELATIONS CONSULTANTS

December 19, 1996

B-3

HAND DELIVERED VIA COURIER

P. Sam Hoffses
Code Enforcement Officer
City Hall
389 Congress Street
Portland, ME 04101

Re: Harbor Plaza

Dear Sam:

I send this letter to you in your capacity as Code Enforcement Officer but my request may be better answered by others in your organization. I would like to get this turned around from your office as soon as possible and you should feel free to call me with any questions you may have.

Harbor Plaza Associates ("HPA") is the owner of the Harbor Plaza Project located off Commercial and Fore Streets, comprised of two office buildings and a parking garage. HPA is refinancing the Project with AMRESKO Capital Corporation. As part of the closing requirements, AMRESKO has requested a "Zoning Verification", together with Certificates of Occupancy for all tenants located in the buildings. Their sample Zoning Verification letter is enclosed.

I do not know how these requests are handled by your office but I would appreciate it if someone could either complete the information anticipated by this form on City letterhead or, alternatively, complete the enclosed form and return it to me with a cover letter on City letterhead. I assume the Certificates of Occupancy can be simply photocopied and returned to me with the Zoning Verification. The closing is scheduled to happen before year end and this is one of the last submissions not yet complete. Again, if you have any questions, please give me a call.

11th Employees
→ 38-F-9
261 Commercial
470 Fore Street
received 12/20/96
off Commercial
& F
WAKEL

P. Sam Hoffses
Code Enforcement Officer
December 19, 1996
Page 2

Thanks again for the help.

Sincerely,



Ronald N. Ward

RNW:lem
Enclosure

87287.1/8153.29

**[TO BE PLACED ON JURISDICTION'S APPLICABLE
ZONING OFFICE LETTERHEAD]**

ZONING VERIFICATION

DATE: _____

TO: **AMRESKO CAPITAL CORPORATION**
c/o [Outside Counsel]

Re: **PROJECT:** _____
ADDRESS: _____

Ladies and Gentlemen:

We have been advised that AMRESKO CAPITAL CORPORATION is considering financing the above-described project. In that regard, we have been asked to provide you with certain zoning information in connection with this project.

1. Current Zoning: The project is currently zoned B-3 which permits the use of the project as a office / retail / personal services as a matter of right (if current zoning does not permit the use of the project as its current use as a matter of right, please explain) **[please attach applicable ordinance]:** _____

2. Conformance with Current Zoning Requirements. Based on the materials available from our records, the project is:

- _____ A legally conforming use
- _____ A legally non-conforming use
- _____ A legally conforming structure
- _____ A legally non-conforming structure
- _____ Non-conforming

All the current uses appear to be conforming to the present land use ordinance

If non-conforming or legally non-conforming, to the best of your knowledge, the project is non-conforming [or legally non-conforming] in the following respects:

3. Right to Rebuild Following Casualty: In the event of casualty to the project, in whole or in part, the project:

See 14-385 of the land use ordinance states that reconstruction of non-conforming structures may occur within one year of the initial damage where such damage is sudden or accidental

_____ May be rebuilt substantially in its current form (i.e., no loss of square footage, same footprint, same number of apartments units, if applicable)

_____ May not be rebuilt substantially in its current form except upon satisfaction of the following conditions and/or limitations: [insert specific requirements concerning restoration of the project and attach a copy of the applicable restoration requirements]:

4. Density Requirements: Applicable ___ Not Applicable If applicable, please specify the number of apartment units permitted per acre or square feet: _____ units per _____ [please attach applicable ordinance].

5. Parking Spaces Required at Project: Please specify the number of parking spaces required at the project [please attach applicable ordinance]:

The B-3 business zone states no off-street parking is required for changes of use any further specifics related to this site should be researched privately

6. No Violations; All Development-Related Fees Paid. We are unaware of (a) the existence of any violations or alleged violations of any zoning, subdivision, building or similar ordinances or regulations applicable to the project within the past three years, or (b) any enforcement proceedings against the project that are pending or contemplated. All fees required to have been paid in connection with the development and use of the project, including any impact-related fees, have been paid, and no such fees which would have applicability to the project are otherwise pending or contemplated.

If you should have any questions concerning this matter, please contact me at (207) 874-8300

X 8695

Sincerely yours,

[applicable jurisdictional office]

By: _____
Title: _____

ORTH

ARTERIAL STREET

STREET

SPRING



39204
 ONE PORTLAND SQUARE
 CONDOMINIUM
 NOTE: For further reference
 see Cumberland County Registry
 of Deeds Declaration recorded
 in Bk B:37 Pg 37 Date 10-26-57

SEPT 18 1957
 TO CENTER ST CONDOMINIUM
 BY CHAS. W. WILSON
 WITNESSES: [Illegible]
 HUBBARD CT. (HUBBARD CT.)
 20460
 [Illegible]

HARLOR LANDING
 CONDOMINIUM
 [Illegible text]
 93.24 124.1

PASSAGE X-1 ROAD
 23
 8250