



# PORTLAND MAINE

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

August 23, 2013

Bernstein Shur:  
Monument Title Company:  
Norway Savings Bank  
c/o 100 Middle Street  
P.O. Box 9729  
Portland, Maine 04104-5029

RE: 106 High Street - 039-A-037 - B-3 Downtown Business Zone with an  
Entertainment Overlay Zone and a Historic Overlay Zone

To Whom It May Concern:

I am in receipt of your request for a determination letter concerning the property located at 106 High Street in Portland, Maine. The property is located in the B-3 Downtown Business Zone with an Entertainment Overlay Zone and a Historic Overlay Zone.

To the best of my knowledge, 106 High Street is in compliance with all Municipal Zoning and Land Use codes, regulations and ordinances. Copies of permits and a certificate of occupancy from our files are attached to this letter. To the best of my knowledge, there are no current, pending or threatened violations concerning the property.

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

Very Truly Yours,

Marge Schmuckal  
Zoning Administrator  
City of Portland, Maine

enclosures



R3 BUSINESS ZONE

## APPLICATION FOR PERMIT

Class of Building or Type of Structure Second ClassPortland, Maine, December 9, 1963

PERMIT ISSUED

JAN 15 1964

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 106 High St. Within Fire Limits? \_\_\_\_\_ Dist. No. \_\_\_\_\_  
Owner's name and address Pine Tree Real Estate, 144 Vannah Ave. Telephone \_\_\_\_\_  
Lessee's name and address State Cafe Inc, 106 High St, David Cremonese Telephone \_\_\_\_\_  
Contractor's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans yes No. of sheets 1  
Proposed use of building Restaurant (Major Assembly Hall) No. families \_\_\_\_\_  
Last use \_\_\_\_\_ (Minor " ") No. families \_\_\_\_\_  
Material brick No. stories 1 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
Other buildings on same lot \_\_\_\_\_  
Estimated cost \$ \_\_\_\_\_ Fee \$ 2.00

## General Description of New Work

To Change Use of building from Minor Assembly Hall to Major Assembly Hall(dancing)  
as per plan. (~~no alterations~~) to enclose cellar stairway as per plan.

Sent to Fire Dept. 12/16/63  
Rec'd from Fire Dept. 12/19/63

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 State Cafe Inc.-David Cremonese

## 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:

M. E. M.

## 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

(COPY)



Copy to:  
State Cafe Inc.  
David Greenough

CITY OF PORTLAND, MAINE  
Department of Building Inspection

## Certificate of Occupancy

LOCATION 1106 High Street

Issued to Pine Tree Real Estate  
114 Vannah Ave.

Date of Issue February 12, 1964

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. 64/53, 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

APPROVED OCCUPANCY

Major Assembly Hall

Limiting Conditions:

This certificate supersedes  
certificate issued

Approved:

2/12/64

(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.

## Marge Schmuckal - Plush West End Measurement

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**From:** Byron Philbrick  
**To:** Janice Gardner; Julie Ann Johnson  
**Date:** 9/14/2012 11:51 AM  
**Subject:** Plush West End Measurement  
**CC:** Carolyn Dorr; Katherine Jones; Marge Schmuckal

039-A-37

Janice/Julie Ann,

I along with Marge Schmuckal of the Planning and Development Department went to Plush West End located at 106 High St. at 10:00 A.M. Friday September 14th. We were asked to measure the distance between the entrance of Plush West End and the entrance of Flask Lounge at 117 Spring St. We also measured between the entrance of Plush West End and the entrance of the Cumberland Club located at 116 High St.

The distance between the entrances to Plush West End and Flask Lounge was measured at 131 feet.

The distance between the entrances to Plush West End and the Cumberland Club was measured at 133 feet.

Respectfully Submitted,

Bud Philbrick  
Election Administrator  
City Clerk's Office  
389 Congress St  
Portland, ME 04101  
P: (207) 756-8102  
F: (207) 874-8612  
[bbp@portlandmaine.gov](mailto:bbp@portlandmaine.gov)

# City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, FAX: (207) 8716

Job No: 2012-02-3326-ALTCOMM	Date Applied: 2/21/2012	CBL: 039- A-037-001	
Location of Construction: 106 HIGH ST	Owner Name: RGT ASSOCIATES	Owner Address: 44 OAK ST PORTLAND, ME 04101	Phone: 771-5461
Business Name:	Contractor Name: TBD	Contractor Address:	Phone:
Lessee/Buyer's Name:	Phone:	Permit Type: BLDG CHANGE OF USE/ALTERATIONS	Zone: B-3
Past Use: 1st floor restaurant, 2 <sup>nd</sup> floor offices and artist studios, 3 <sup>rd</sup> floor storage	Proposed Use: To change the use to: 1 <sup>st</sup> floor restaurant, 2 <sup>nd</sup> floor all artist studios, 3 <sup>rd</sup> floor secured for storage only also improving means of egress	Cost of Work: \$2,000.00	CEO District:
		Fire Dept: <input checked="" type="checkbox"/> Approved w/ conditions <input type="checkbox"/> Denied <input type="checkbox"/> N/A Signature: <i>Capt. Perrine 3/4/12</i>	Inspection: Use Group: A/B Type: 3B <i>DBL 2009</i> Signature: <i>Jim B</i> <i>3/8/12</i>
Proposed Project Description: Improving means of egress		Pedestrian Activities District (P.A.D.)	
Permit Taken By: Brad		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 informatin 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	<i>within</i>
<input type="checkbox"/> Wetlands	<input type="checkbox"/> Miscellaneous	<input type="checkbox"/> Not in Dist or Landmark
<input type="checkbox"/> Flood Zone	<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Does not Require Review
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Interpretation	<input type="checkbox"/> Requires Review
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved
	<input type="checkbox"/> Denied	<input type="checkbox"/> Approved w/Conditions
<input type="checkbox"/> Maj <input type="checkbox"/> Min <input type="checkbox"/> MM		<input type="checkbox"/> Denied
Date: <i>2/23/12</i>	Date:	<i>any exterior work requires a separate Review &amp; Approval</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 Application**  
 389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 2013-01195	Issue Date:	CBL: 039 A037001
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Location of Construction: 106 HIGH ST	Owner Name: RGT ASSOCIATES	Owner Address: 44 OAK ST PORTLAND, ME 04101	Phone: (207) 771-5461
Business Name: Flask Lounge	Contractor Name:	Contractor Address: ME	Phone
Lessee/Buyer's Name Jessica Nolette, jesn@maine.rr.com	Phone: (207) 408-9020	Permit Type: Outdoor Seating	Zone: B3
Past Use: 1st floor restaurant, 2nd floor artist studios, 3rd floor storage	Proposed Use: Same: 1st floor restaurant, 2nd floor artist studios, 3rd floor storage	Permit Fee: \$320.00	Cost of Work: \$0.00
		CEO District: 3	
Proposed Project Description: 2013 Outside Dining for Flask Lounge: 6 tables; 12 chairs: 120 sq ft.		INSPECTION:	
		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: bjs	Date Applied For: 06/11/2013	<b>Zoning Approval</b>		
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..		<b>Special Zone or Reviews</b> <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <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: _____	<b>Zoning Appeal</b> <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: _____	<b>Historic Preservation</b> <input 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: _____

**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 Application**  
 389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 2013-01296	Issue Date:	CBL: 039 A037001
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Location of Construction: 106 HIGH ST	Owner Name: RGT ASSOCIATES	Owner Address: 44 OAK ST PORTLAND, ME 04101	Phone:
Business Name: Little Tap House	Contractor Name:	Contractor Address: ME	Phone
Lessee/Buyer's Name Lee Goyette, lee@littletaphouse.com	Phone: (207) 590-1802	Permit Type: Outdoor Seating	Zone: B3
Past Use: 1st floor restaurant(s), 2nd floor office & artist studios - 3rd floor storage	Proposed Use: Same: 1st floor restaurant(s), 2nd floor office & artist studios, 3rd floor storage	Permit Fee: \$560.00	Cost of Work: \$0.00
		CEO District: 3	
Proposed Project Description: 2013 Outside Dining for Little Tap House 5 tables, 15 chairs; 240 sq ft.		INSPECTION:	
		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: bjs	Date Applied For: 06/21/2013	<b>Zoning Approval</b>		
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..		<b>Special Zone or Reviews</b> <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <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: _____	<b>Zoning Appeal</b> <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: _____	<b>Historic Preservation</b> <input 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: _____

**CERTIFICATION**

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

# BERNSTEIN SHUR

COUNSELORS AT LAW

207-774-1200 main  
207-774-1127 facsimile  
bernsteinshur.com

100 Middle Street  
PO Box 9729  
Portland, ME 04104-5029

Kathryn Pariseau, Paralegal  
207 228-7372 direct  
kpariseau@bernsteinshur.com

August 5, 2013

Via Hand Delivery

Marge Schmuckal  
Assistant Chief of Inspection Services  
Zoning Administrator  
Planning & Urban Development  
CITY OF PORTLAND  
389 Congress Street  
Portland, ME 04101

Re: 106 High Street, City of Portland - Tax Map 39-A-37 B-3

Dear Marge:

Please issue a letter confirming what zone the building and improvements located at the above property are located in and that the entire building is in compliance with all applicable Municipal zoning and land-use codes, regulations and ordinances, that there currently are no pending or threatened violations against it and also please attach all copies of Certificates of Occupancy that have been issued along with any other filings.

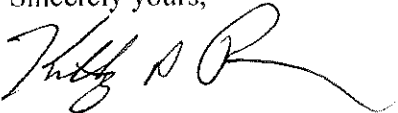
Please address the letter to all of the following:

Bernstein Shur; Monument Title Company; and Norway Savings Bank

Enclosed please find our check in the amount of \$150 to cover the fees related to issuing this letter. Thank you very much for your assistance in this matter. Please call me if you have any questions.

Please let me know by e-mail [kpariseau@bernsteinshur.com](mailto:kpariseau@bernsteinshur.com) when this is ready so that I may pick it up to save mailing time.

Sincerely yours,



Kathryn A. Pariseau  
Paralegal

RECEIVED

AUG - 7 2013

Dept. of Building Inspections  
City of Portland Maine

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

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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:****Services****Applications****Doing Business****Haps****Tax Relief****Tax Roll****Q & A**

**CBL** 039 A037001  
**Land Use Type** RETAIL & PERSONAL SERVICE  
 Verify legal use with Inspections Division  
**Property Location** 106 HIGH ST  
**Owner Information** RGT ASSOCIATES  
 44 OAK ST  
 PORTLAND ME 04101  
**Book and Page** 8164/54  
**Legal Description** 39-A-37  
 HIGH ST 106-108  
 SPRING ST 109-117  
 4331 SF  
**Acres** 0.0994

**Current Assessed Valuation:****browse city services a-z**[www.portlandmaine.org](#)**browse facts and links a-z**[www.portlandmaine.org](#)

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

**Building Information:**

Best viewed at 800x600, with Internet Explorer

**Building 1**  
**Year Built** 1900  
**Style/Structure Type** MIXED RES/COMM  
**# Units** 1  
**Building Num/Name** 1 - FLASK  
**Square Feet** 11187

[View Sketch](#)[View Map](#)[View Picture](#)**Exterior/Interior Information:**

**Building 1**  
**Levels** B1/B1  
**Size** 3177  
**Use** SUPPORT AREA  
**Height** 6  
**Heating** NONE  
**A/C** NONE

**Building 1**  
**Levels** 01/01  
**Size** 3947  
**Use** BAR/LOUNGE  
**Height** 10  
**Walls** BRICK/STONE  
**Heating** HW/STEAM  
**A/C** NONE

**Building 1**  
**Levels** 02/02  
**Size** 2011  
**Use** MULTI-USE OFFICE  
**Height** 8  
**Walls** BRICK/STONE  
**Heating** HW/STEAM  
**A/C** NONE

**Building 1**  
**Levels** 03/03  
**Size** 1026  
**Use** SUPPORT AREA  
**Height** 7

# 106 High St



**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**  
389 Congress Street  
Portland, Maine 04101

**RECEIPT OF FEES**

<b>Application No:</b> 0000-1766	<b>Applicant:</b> RGT ASSOCIATES
<b>Project Name:</b> 106 HIGH ST	<b>Location:</b> 106 HIGH ST
<b>CBL:</b> 039 A037001	<b>Application Type:</b> Determination Letter
<b>Invoice Date:</b> 08/07/2013	

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

<b>Previous Balance</b>	<b>\$0.00</b>
-------------------------	---------------

Fee Description	Qty	Fee/Deposit Charge
Zoning Determinations	1	\$150.00
		\$150.00
<b>Total Current Fees:</b>		<b>+</b> <b>\$150.00</b>
<b>Total Current Payments:</b>		<b>-</b> <b>\$150.00</b>
<b>Amount Due Now:</b>		<b>\$0.00</b>

**CBL** 039 A037001  
**Bill to:** RGT ASSOCIATES  
44 OAK ST  
PORTLAND, ME 04101

**Application No:** 0000-1766  
**Invoice Date:** 08/07/2013  
**Invoice No:** 42117  
**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>