



PORTLAND MAINE

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

November 28, 2011

Bernstein Shur
100 Middle Street
PO Box 9729
Portland, ME 04104-5029
Attn: Susan Osborne

RE: Gulf of Maine Research – 378 Commercial Street – 042-C-003-004 (the
“Property) – WCZ

Dear Ms. Osborne,

I am in receipt of your request for a zoning determination letter concerning the property located at 378 Commercial Street. The Property is located within the Waterfront Central Zone or WCZ.

The Property has two storage buildings that have been in existence prior to the basis of the City’s Land Use Zoning Ordinance which is June 5, 1957. Our records do not have any certificates of occupancy for these structures. This is not a violation or a concern of our office since many structures built prior to the current Land Use Zoning Ordinance do not have a certificate of occupancy.

The most recent work in 2010 on the Property was the removal and replacing of the existing pier. This work received all the appropriate building permits and other reviews required through Inspection Services and the Planning Division. I have included copies of the permits and reviews for the replacement pier. There is no need to issue a certificate of occupancy for a pier because it is not occupiable. Again, the absence of a certificate of occupancy for a pier is not a violation of the City Ordinances.

I am unaware of any legal action pending or considered in regard to the Property.

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

Very truly yours,

Marge Schmuckal
Zoning Administrator

attachments