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

August 18, 2011

Charter Realty & Development Corp.
800 Westchester Avenue – Suite S-632
Rye Brook, NY 10573
Attn: Karen Johnson, AICP

RE: 1364 Congress Street – suite #9 – 191-B-19, 197-B-1 & 15 – B-2 Zone

Dear Ms. Johnson,

I am in receipt of your request for a determination letter concerning the property and use of 1364 Congress Street, suite #9.

1364 Congress Street, suite #9 is located in the B-2 community business zone. The B-2 zone allows “Health clubs and gymnasiums” as a permitted use under section 14-182(b)11. There are no other limiting factors or requirements concerning the specific hours of operations listed either within the B-2 zone or elsewhere in the City of Portland’s Land Use Zoning Ordinance. Therefore, the 24-hour business hours concerning Anytime Fitness would not be restricted or regulated by our City ordinance. Anytime Fitness may have business operation hours of their own choosing.

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