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tleahy@monaghanleahy.com

January 29, 2015

Ms. Ann Machado
Planning and Urban Development
City of Portland
389 Congress Street
Portland, Maine 04101

RECEIVED

JAN 30 2015

RE: 1600 Congress Street, Portland, Maine
Legal Description 220-B-10-15, Congress St. 1570-1602

Dept. of Building Inspections
City of Portland Maine

Dear Ms. Machado:

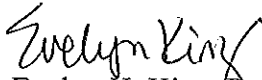
164 Realty, Inc., a Maine Corporation, is refinancing its medical office building situated at 1600 Congress Street in the City of Portland, more particularly identified on Tax Map 220, Block 10, Lot 15 ("Property"). The Property is located in R-P zone. We hereby request a zoning determination of this property for refinancing purposes.

Enclosed herewith is our check in the amount of \$150.00 for the request for zoning determination for the above referenced property. Also enclosed is a sample of a formatted letter that we would prefer for the response.

Thank you for your assistance in this regard.

Regards,

Monaghan Leahy, LLP


Evelyn H. King, Paralegal

Enclosures (2)

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

INVOICE OF FEES

Application No: 0000-2125	Applicant: 164 REALTY INC
Project Name: 1600 CONGRESS ST	Location: 1600 CONGRESS ST
CBL: 220 B010001	Application Type: Determination Letter
Invoice Date: 01/30/2015	

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

Previous Balance **\$0.00**

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

CBL 220 B010001
Bill To: 164 REALTY INC
 100 SILVER ST
 PORTLAND, ME 04101

Application No: 0000-2125
Invoice Date: 01/30/2015
Invoice No: 47920
Total Amt Due: \$0.00
Payment Amount:

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/792/Permit-Status>

[Click Here to Pay On Line](#)

Marge Schmuckal
Planning and Urban Development
City of Portland
389 Congress Street, Room 315
Portland, Maine 04101

_____, 2015

Thomas G. Leahy, Esq.
Monaghan Leahy, LLP
P.O. Box 7046
Portland, ME 04112

NBT Bank
Maine Regional Headquarters
Commercial Banking Office
254 Commercial Street
Merrill's Wharf, 2nd Floor
Portland, ME 04101

164 Realty, Inc.
Richard J. McGoldrick
Commercial Properties, Inc.
100 Silver Street
Portland, Maine 04101

RE: 1600 Congress Street, Portland, Maine
Legal Description 220-B-10-15, Congress St. 1570-1602

To Whom It May Concern:

In my capacity as an Inspector for the City of Portland, I hereby certify that the following is true:

1. The property above referenced is classified as R-P under the Portland Code.
2. The property is a lawfully created parcel according to applicable subdivision laws, including 30-A, M.R.S.A. Section 4401, et seq., and regulations and ordinances adopted pursuant thereto, including the Portland Code.
3. There are no current zoning, subdivision, land use or code violations of record in the City of Portland concerning the Property.
4. Based on the Certificates of Occupancy, the buildings and structures on the Property complied with the dimensional requirements, (area, width, or depth of the land as a building site for the structure; floor space area of the structure;

setback of the structure from the property lines of the land; height of the structure) and parking requirements of the Portland Code at the time they were constructed and are not required to comply with current dimensional and parking requirements.

5. The current uses of the Property, general business and medical and professional offices, comply with the current use regulations of the Portland Code.

Regards,

City of Portland
Inspections Division Services

By Ann Machado

Congress. 1570-1602

Marge Schmuckal
Planning and Urban Development
City of Portland
389 Congress Street, Room 315
Portland, Maine 04101

_____, 2015

Thomas G. Leahy, Esq.
Monaghan Leahy, LLP
P.O. Box 7046
Portland, ME 04112

built 1972. medical offices.
perm. #2012-14-147(b)(1)

NBT Bank
Maine Regional Headquarters
Commercial Banking Office
254 Commercial Street
Merrill's Wharf, 2nd Floor
Portland, ME 04101

164 Realty, Inc.
Richard J. McGoldrick
Commercial Properties, Inc.
100 Silver Street
Portland, Maine 04101

RE: ✓ 1600 Congress Street, Portland, Maine
Legal Description 220-B-10-15, Congress St. 1570-1602

To Whom It May Concern:

In my capacity as an Inspector for the City of Portland, I hereby certify that the following is true:

RP & RP2 Shoreland overlay zone.

1. The property above referenced is classified as R-P under the Portland Code.
- ✓ 2. The property is a lawfully created parcel according to applicable subdivision laws, including 30-A, M.R.S.A. Section 4401, et seq., and regulations and ordinances adopted pursuant thereto, including the Portland Code.
property is 256,920 sq ft
3. There are no current zoning, subdivision, land use or code violations of record in the City of Portland concerning the Property. no
4. Based on the Certificates of Occupancy, the buildings and structures on the Property complied with the dimensional requirements, (area, width, or depth of the land as a building site for the structure; floor space area of the structure;

setback of the structure from the property lines of the land; height of the structure) and parking requirements of the Portland Code at the time they were constructed and are not required to comply with current dimensional and parking requirements.

parking when built

no business review ok.

- 5. The current uses of the Property, general business and medical and professional offices, comply with the current use regulations of the Portland Code.

Regards,

City of Portland
Inspections Division Services

By Ann Machado

min lot size is 6,000 sq ft ok - 256,920 sq ft
" street frontage - 60' 446'
min front - 20' min or average - 71'
rear - 20' (10')
side - 2 sides 12' (10') 2 on left 177 on right
3 sides 14'
min lot width 60' ok
max ht - 45' 1 story
imperious surface P-R zone - 80% ok.
Floor area ratio -

.65 - OK
$$\frac{\text{total floor area } 25,500}{\text{total land area } 256,920} = \text{see } 9.9\%$$

1st floor 25,500

MITCHELL & ASSOCIATES
LANDSCAPE ARCHITECTS

July 27, 1993

Portland Planning Board
City of Portland
389 Congress Street
Portland, Maine 04101

RE: 1600 CONGRESS STREET

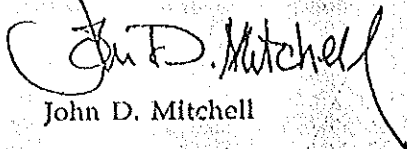
Dear Planning Board Members:

On behalf of 1600 Congress Street Associates, Mitchell & Associates is pleased to submit this application for Sketch Plan approval for the conversion of 1600 Congress Street to professional medical offices. The project is located on the west side of Congress Street at the intersection with Frost Street. The existing structure and site was formerly used by Portland Litho and Humboldt National Graphics, Inc.

The attached sketch plan addresses the information required by Article 5, Section 14-525 of the Portland Land Use Ordinance. Presently, there is an existing 25,500 square foot one story brick building with associated pavement for parking and service. The proposed use includes renovation and conversion of the existing structure to professional medical offices. The major site improvements include expansion of the paved area to accommodate 154 parking spaces, a second curb cut onto Congress Street, storm drainage system, fire sprinkler service, underground electric and telephone service, site lighting and new landscaping.

We trust that the information provided at this time for Sketch Plan is sufficient for discussion at your next scheduled workshop session on August 10, 1993. Should you have any questions or concerns, please do not hesitate to contact our office.

Sincerely,
Mitchell & Associates



John D. Mitchell

Enclosure

MAJOR SITE PLAN
CITY OF PORTLAND, MAINE
SITE PLAN REVIEW
 Processing Form

Planning Dept

Applicant: Nitchell and Associates Date: July 27, 1993
 Mailing Address: 10 Center St. Portland, ME 04101 Address of Proposed Site: 1400 Congress St.
 Proposed Use of Site: Professional Medical offices Site Identifier(s) from Assessors Maps: 220-3-10 and 15
 Acreage of Site / Ground Floor Coverage: 6.3 plus / 25,500 Zoning of Proposed Site: R-2
 Site Location Review (DEP) Required: () Yes () No Proposed Number of Floors: 1
 Board of Appeals Action Required: () Yes () No Total Floor Area: 25,500
 Planning Board Action Required: () Yes () No
 Other Comments: _____
 Date Dept. Review Due: _____

PLANNING DEPARTMENT REVIEW

(Date Received)

- Major Development — Requires Planning Board Approval; Review Initiated
 Minor Development — Staff Review Below

	LOADING AREA	PARKING	CIRCULATION PATTERN	ACCESS	PEDESTRIAN WALKWAYS	SCREENING	LANDSCAPING	SPACE & BULK OF STRUCTURES	LIGHTING	CONFLICT WITH CITY PROJECTS	FINANCIAL CAPACITY	CHANGE IN SITE PLAN
APPROVED	X	X	X	X	X	X	X	X	X	X		
APPROVED CONDITIONALLY												CONDITIONS SPECIFIED BELOW
DISAPPROVED												REASONS SPECIFIED BELOW

REASONS: 1. THAT A PERFORMANCE GUARANTEE BE SUBMITTED TO COVER THE SITE IMPROVEMENTS FOR STAFF REVIEW AND APPROVAL
2. THAT A DRAINAGE MAINTENANCE ASSESSMENT BE SUBMITTED FOR STAFF REVIEW AND APPROVAL

APPROVED BY PLANNING BOARD 9-28-93

(Attach Separate Sheet if Necessary)

Richard Kordick 10-14-93
 SIGNATURE OF REVIEWING STAFF/DATE

PLANNING DEPARTMENT COPY

CITY OF PORTLAND, MAINE

PLANNING BOARD

Kenneth M. Cole III, Chair
Jadine R. O'Brien, Vice Chair
Joseph R. D. Courcay
Irying Fisher
Cyrus Haggie
John H. Carroll
Donna Wilson

September 30, 1993

Mr. Richard McGoldrick
1600 Congress Street Associates
100 Silver Street
Portland, ME 04101

RE: 1600 Congress Street Medical Office

Dear Mr. McGoldrick:

On September 28 the Portland Planning Board voted 7-0 on the following motions regarding a proposed medical office building at 1600 Congress Street.

1. That the plan was in conformance with the Site Plan Ordinance of the Land Use Code with the following conditions:
 - a. that an executed drainage maintenance agreement with guarantee in substantially the form of Attachment D (from Planning staff memo dated 09-28-93) be submitted prior to the issuance of a building permit.
 - b. the hours of rubbish removal from the site shall be limited from 7:00 a.m. to 8:00 p.m.
 - c. that note 16 (fourth sentence) on sheet 2 of the site plan shall be revised to read:

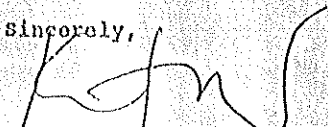
The applicant's design engineer shall inspect all down gradient areas after each significant storm event (storms in excess of the 2 year event), and shall notify in writing the owner and the city of Portland Planning Department of the results of the inspection and of any areas of channelized stormwater runoff or erosion related problems.

2. That the plan is in conformance with the Shoreland Regulations of the Land Use Code.

The approval is based on the submitted site plan and the findings related to site plan review standards as contained in Planning Report #32-93, which is attached. A performance guarantee covering the site improvements as well as an inspection fee payment of 1.7% of the guarantee amount and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.

If there are any questions, please contact the Planning staff.

Sincerely,



Kenneth M. Cole III, Chair
Portland Planning Board

cc: Joseph E. Gray, Jr., Director of Planning and Urban Development
Alexander Jaegerman, Chief Planner
Richard Knowland, Senior Planner
P. Samuel Hoffaes, Chief of Building Inspections
William Giroux, Zoning Administrator
George Flaherty, Director of Parks and Public Works
John Rague, Principal Engineer
Melodie Esterberg PE, Project Engineer
William Bray, Deputy Director of Parks and Public Works
Jeff Farling, City Arborist
Paul Niehoff, Materials Engineer
Natalie Burns, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
Louise Chase, Building Permit Secretary
Approval Letter File
John Mitchell, Mitchell and Associates, The Staples Building
70 Center Street, Portland, Maine 04101
Mark Gray, BH2M, 28 State Street, Gorham, ME 04038
Michael Nachez, Vice President, Construction Summary
734 Chestnut Street, Manchester, NH 03104

930984

Permit # City of Portland BUILDING PERMIT APPLICATION Fee \$1,200.00

Zone B-2 Map # 220 B Lot# 10 and 15

Owner 1600 Congress St. Assoc. Phone #

Address 100 Silver St. Portland, ME 04101

LOCATION OF CONSTRUCTION 1600 Congress St.

Contractor Benchmark Sub: Phone # 4107 767-9778

Address 4 Belfield Rd Cape Elizabeth, ME 04107

Est. Construction Cost: 1,220,000.00 Proposed Use: Prof. Med. Offices

of Existing Res. Units # of New Res. Units

Building Dimensions L W Total Sq. Ft.

Stories # Bedrooms Lot Size

Proposed Use CHANGE OF USE FROM PRINTING FACILITY to medical office

Explain Conversion Construct Addition (150 x 225) as per plans

Foundation 220-B-210/015

1. Type of Soil Rear Sides

2. Set Backs - Front Spacing 16' O.C.

3. Footing Size Size Spacing 16' O.C.

4. Foundation Size Size Spacing 16' O.C.

5. Other Sills must be anchored.

Floor: 1. Sills Size Spacing

2. Grid Size Spacing

3. Lally Column Spacing Spacing

4. Joist Size Size Spacing

5. Par. Lag Type Size Spacing

6. Sheathing Type Size Spacing

7. Deck Material Size Spacing

8. Other Material Size Spacing

9. Siding Type Size Spacing

10. Masonry Materials Size Spacing

11. Metal Materials Size Spacing

October 19, 1993 For Official Use Only
Date July 27, 1993 Submitter Name OCT 22 1993
Inside Fire Limit Lot Public
Bid Code Operating Private
Type Limit Estimated Cost

Zoning: Street Frontage Provided: Back Side Side

Review Required: Zoning Board Approval: Yes No Date:

Planning Board Approval: Yes No Date:

Conditional Use: Variance Floodplain Yes No

Shoreland Zoning: Yes No Other (if item)

CEILING: 1. Ceiling Joist Size Spacing

2. Ceiling Strapping Size Spacing

3. Type Ceiling Size Spacing

4. Insulation Type Size Spacing

5. Ceiling Height Spacing

ROOF: 1. Truss or Rafter Size Spacing

2. Sheathing Type Size Spacing

3. Roof Covering Type Size Spacing

4. Chimneys Number of Fire Places

5. Heating: Type Number of Fire Places

6. Electrical: Service Entrance Size Smoke Detector Required Yes No

7. Plumbing: 1. Approval of soil test if required Yes No

2. No. of Tubs or Showers Yes No

3. No. of Fixtures Yes No

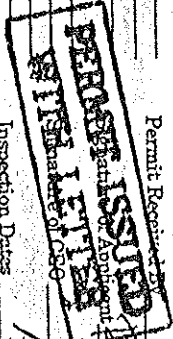
4. No. of Lavatories Yes No

5. No. of Other Fixtures Yes No

6. Swimming Pools: 1. Type Lateral

2. Pool Size: Lateral

3. Must conform to National Standards Lateral



Permit Received by Lateral
Date 7/27/93
Submitted by Mitchell and Assoc. Robert Metcalf
Date
Inspection Dates Mark Woodward
Date Oct 19, 1993



White-Tax Assessor Yellow-GPCOG White Tag-CEO
[Signature] Copyright GPCOG 1988



CITY OF PORTLAND, MAINE
Department of Building Inspection

220-B-15

Certificate of Occupancy

LOCATION 1600 Congress St

Issued to: 1600 Congress St Associates

Date of Issue 23 May 1994

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. 930984, 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

APPROVED OCCUPANCY

Entire South Hall of Building

Medical Offices

Immunizing Conditions

This certificate supersedes certificate issued

Approved:

(Date)

Inspector

Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises and right to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.

40191

City of Portland

BUILDING PERMIT APPLICATION

Permit # 40191

Please fill out any part which applies to job. Proper plans must accompany form.

Owner: 510 Medical Application of ME Phone # 761-7766

Address: 500 Southboro Dr So Portland, ME 04105

LOCATION OF CONSTRUCTION: 1500 Congress St

Contractor: Ledgerwood, Inc.

Address: P.O. Box 8107 Portland, ME 04105

Est. Construction Cost: 225,000.

Proposed Use: Medical Office w/Int

Medical Office

of Existing Res Units: Past Use: Medical Office

Building Dimensions L: W: Total Sq. Ft.

Stories: # Bedrooms: Lot Size:

Is Proposed Use Seasonal: Condominium Conversion: Explain Conversion: Interior Renovations as per plans.

Foundation: Single axle Dump Truck = Receipt #07418 Permit #0102

1. Type of Soil: 2. Set Backs - Front: Rear: Sides: 3. Footings Size: 4. Foundation Size: 5. Other:

Floors: 1. Sills Size: 2. Girders Size: 3. Lally Column Spacing: 4. Joists Size: 5. Bridging Type: 6. Floor Sheathing Type: 7. Other Material:

Exterior Walls: 1. Studding Size: 2. No. windows: 3. No. Doors: 4. Header Size: 5. Bracing: 6. Corner Posts Size: 7. Insulation Type: 8. Sheathing Type: 9. Siding Type: 10. Masonry Materials: 11. Metal Materials:

Interior Walls: 1. Studding Size: 2. Header Size: 3. Wall Covering Type: 4. Fire Wall if required: 5. Other Materials:

For Official Use Only. Date: 23 March 1994. Inside Fire Limit: Bltg Code: Type Limit: Estimated Cost: CITY OF PORTLAND

Street Frontage Provided: Provided Setback: Front: Back: Side: Side: Review Required: Zoning Board Approval: Yes No Date: Planning Board Approval: Yes No Date: Conditional Use: Variance: Floodplain: Yes No: Special Exception: Other: (Explain)

Ceiling: 1. C: 2. C: 3. J: 4. Insulation Type: 5. Ceiling Height: Roof: 1. Truss or Rafter Size: 2. Sheathing Type: 3. Roof Covering Type: Chimneys: Type: Number of Fire Places: Heating: Type of Heat: Electrical: Service Entrance Size: Smoke Detector Required: Yes No: Plumbing: 1. Approval of soil test if required: 2. No. of Tubs or Showers: 3. No. of Fixtures: 4. No. of Lavatories: 5. No. of Other Fixtures: Swimming Pools: 1. Type: 2. Pool Size: 3. Must conform to National Electrical Code and State Law.

PERMIT ISSUED WITH LETTER

PERMIT ISSUED WITH LETTER

White - Tax Assessor

CONTINUED TO REVERSE SIDE

Ivory Tag - CEO

4 M. Carver

CEOs District: 4 Tim Saythelma Date: 23 March '94

CITY OF PORTLAND, MAINE
Department of Building Inspection

220-B-010/015



Certificate of Occupancy

LOCATION 1600 Congress St

Date of Issue 23 May 1994

Issued to Eno Medical Applications

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. 940191 — 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

APPROVED OCCUPANCY

NORTH EAST QUARTERS

MEDICAL FACILITY

Finishing Conditions

This certificate supersedes certificate issued

Approved

(Date)

Inspector

Inspector of Buildings

Notice: This certificate indicates lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. It will be furnished to owner or lessee for one dollar.