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

October 23, 2008

Thomas E. Behenna, Esq.
60 State Street – Suite 700
Boston, MA 02109

RE: 106 Pine Tree Industrial Parkway – 254-A-003 (the ‘Property’) – I-M Zone

Dear Attorney Behenna,

I am in receipt of your request for a zoning determination letter concerning the Property. It is my understanding that the proposed buyer, W.B. Mason Co., intends to use the Property to operate a wholesale distribution and warehouse facility for office supply products and office furniture with accompanying office space and a small retail outlet to sell used and/or slightly damaged office furniture.

Warehousing and distribution facilities (14-247(e)) and general business offices (14-247(t)) are uses permitted by right. Section 14-247(s) allows incidental accessory uses. Section 14-249(b) specifically prohibits retail trade that is not ancillary to a permitted use.

After further conversations with you on October 23, 2008, I gained a bit more information concerning the proposed retail component. The area of the entire building is approximately 36,000 square feet. The retail component would be approximately 5,000 square feet in size. Only used or damaged office furniture, not new furniture, and not all products in the warehouse, will be offered for sale. At this time I do not have any specific floor plans to further assess this use.

Based on all the information available to me at this time, I have determined the specifically described retail component for W.B. Mason Co., Inc. could qualify as an accessory, ancillary retail use to the principal use(s) of warehouse and distribution and general offices.

I temper my determination opinion pending a permit application for the change of use with alterations that will show further data and floor plans concerning the retail component. However, the preliminary information supplied to this office leads me to believe that any offending details could be resolved.

If there would be any future change to the retail component that expanded the use or the size of the area, it would be subject to further review by this office to ensure continued compliance with the Land Use Zoning Ordinance.

At this time, I am not aware of any violations or pending violations of land use or other City ordinances in regards to the Property.

This determination letter does not serve as a substitute for any permits that are required under all City Ordinances.

Very truly yours,

Marge Schmuckal
Zoning Administrator

Cc: file