



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life - www.portlandmaine.gov

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

May 24, 2010

Drummond Woodsum
84 Marginal Way
Portland, ME 04101-2480
Attn: Joanna B. Tourangeau

RE: 45-49 (called 55) Riverside Street – 266-A-3 (the “Property”) – B-4 Zone

Dear Ms. Tourangeau,

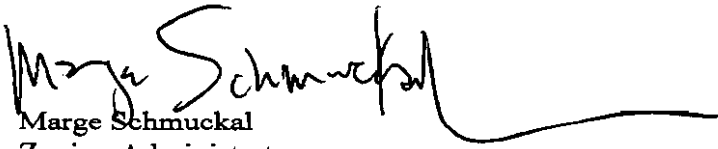
I am in receipt of your request for a determination letter concerning the Property. The Property is located within the B-4 Commercial Corridor Zone. The B-4 Commercial Corridor Zone lists minor and major gasoline service stations as a permitted use by right.

The zoning history on this property indicates that a gasoline service station has been present on site since October 19, 1970 based upon a certificate of occupancy on file. The Property was re-developed under a separate building permit in October 18, 1994. The previous building was demolished and new building and canopy were constructed.

I have not been able to find a certificate of occupancy for the new building of 1994. Normally, during this time period in the history of building permits, a certificate of occupancy would have been required before occupancy. It is lacking at this time. This is a situation that should be corrected.

I am not aware of any other zoning violations concerning the Property at this time.

Very truly yours,


Marge Schmuckal
Zoning Administrator

Cc: Inspection Services.

DrummondWoodsum

Joanna B. Tourangeau

(207) 772-1941
(207) 772-3627 Fax
(800) 727-1941

jbt@dwmlaw.com

84 Marginal Way, Suite 600
Portland, ME 04101-2480

Admitted in ME, NH and MA
www.dwmlaw.com

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Ronald N. Ward*
Brian D. Willing*
Gerald M. Zelint†

Consultants

Ann S. Chapman
Policy & Labor Relations

Roger P. Kelley
Labor Relations &
Conflict Management

Christopher P. O'Neil
Governmental Affairs

Michael J. Opuda Ph.D.
Special Education

Of Counsel

Joseph L. DeLafield III*
Robert L. Gips*
Donald A. Kopp*
Hugh G. E. MacMahon*
Harold E. Woodsum, Jr.*

* Admitted in Maine
† Admitted in New Hampshire

April 30, 2010

Marge Schmuckal, Zoning Administrator
City of Portland
389 Congress Street, Rm 308
Portland, ME 04101

RE: 55 Riverside

266-A-3 - B-4

Dear Ms. Schmuckal:

Texaco

Pursuant to Section 14-465 of the City of Portland Code of Ordinance, I am requesting a written determination regarding the compliance of the above-referenced property with the Ordinance.

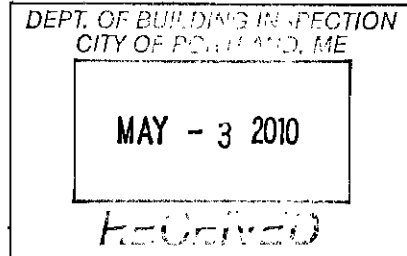
I have enclosed our firm check in the amount of \$150 to cover the determination fee. Thank you for your assistance, and please do not hesitate to contact me with any questions or concerns.

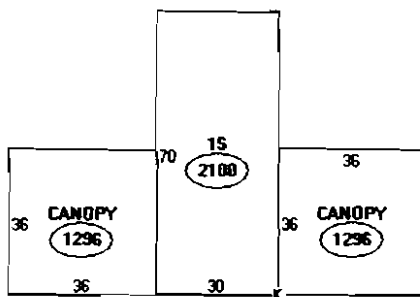
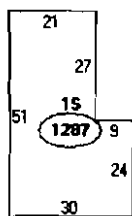
Sincerely,

Joanna B. Tourangeau

JBT/al

Enclosure





Descriptor/Area	
A: 038	2100 sqft
B: 075	1287 sqft
C: CANOPY RF-GOOD	1296 sqft
D: 1S	2100 sqft
E: CANOPY	1296 sqft
F: CANOPY	1296 sqft
G: 1S	1287 sqft
H: PA1	3000 sqft
I: PC2	2600 sqft
J: TN2	2500 sqft
K: LT5	1 sqft

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

City Home Departments City Council E-Services Calendar Jobs

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

Maps

Tax Relief

Tax Roll

Q & A

browse city services a-z

browse facts and links e-z

CBL 266 A003001
Land Use Type RETAIL & PERSONAL SERVICE
Property Location 55 RIVERSIDE ST
Owner Information M W SEWALL & CO
 259 FRONT ST
 BATH ME 04530
Book and Page 11664/316
Legal Description 266-A-3
 RIVERSIDE ST 45-49
Acres 59848 SF
 1.374

Current Assessed Valuation:

TAX ACCT NO. 30626 **OWNER OF RECORD AS OF APRIL 2009**
 M W SEWALL & CO
LAND VALUE \$488,900.00 259 FRONT ST
BUILDING VALUE \$413,708.00 BATH ME 04530
NET TAXABLE - REAL ESTATE \$902,600.00
TAX AMOUNT \$16,012.12

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

Card 1 of 1
Year Built 1995
Style/Structure Type SERVICE STATION
Units 1
Building Num/Name 1 - TEXACO
Square Feet 3387

[View Sketch](#) [View Map](#) [View Picture](#)



Exterior/Interior Information:

Card 1
Levels 01/01
Size 2100
Use CONVENIENCE STORE
Height 12
Walls CONC. BLOCK
Heating HOT AIR
A/C CENTRAL

Card 1
Levels 01/01
Size 1287
Use CAR WASH - AUTOMATIC
Height 12
Walls CONC. BLOCK
Heating UNIT HEAT
A/C NONE

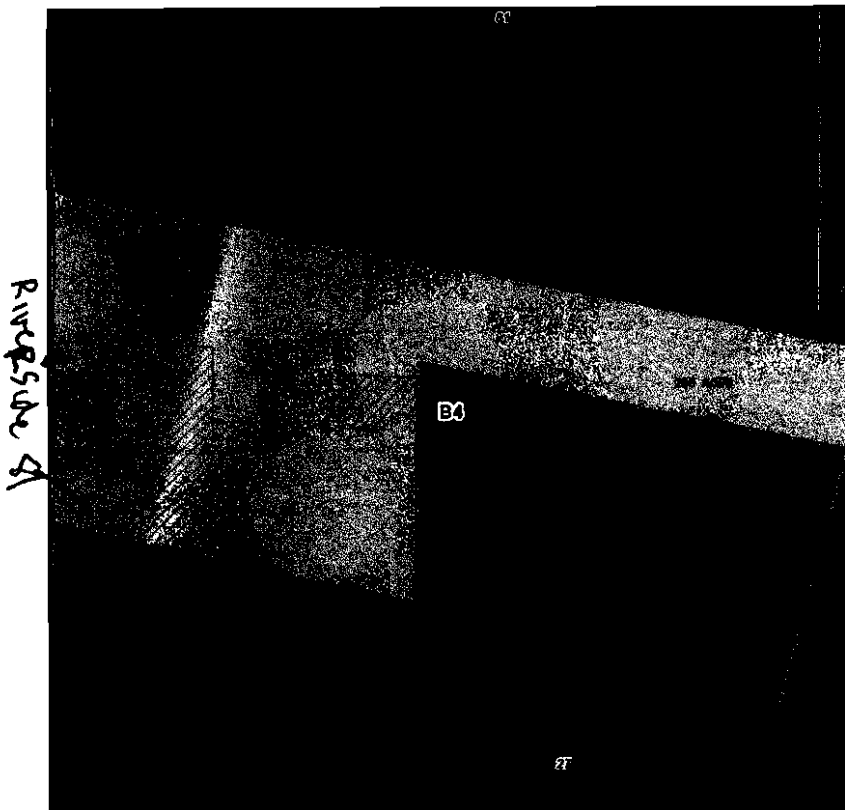
Other Features:

Card 1
Structure CANOPY - GD
Size 36X36

Outbuildings/Yard Improvements:

Card 1
Year Built 1995
Structure LIGHT - MERCURY VAPOR, POLE
Size 1X1
Units 8

Map



Parcels <input checked="" type="checkbox"/> Parcels	Stream Overlay Zone <input type="checkbox"/> Stream_protection	Zoning (continued) <input type="checkbox"/> R2 Residential	Zoning (continued) <input type="checkbox"/> C25
Interstate <input type="checkbox"/> Interstate	Island Zoning <input type="checkbox"/> C43	<input type="checkbox"/> R3 Residential	<input type="checkbox"/> C26
Streets <input type="checkbox"/> Streets	<input type="checkbox"/> I-B	<input checked="" type="checkbox"/> R4 Residential	<input type="checkbox"/> C27
Buildings <input checked="" type="checkbox"/> Building <input checked="" type="checkbox"/> Out Building	<input checked="" type="checkbox"/> I-TS	<input checked="" type="checkbox"/> R5 Residential	<input type="checkbox"/> C28
Parcels <input type="checkbox"/> Parcels	<input type="checkbox"/> I-R1	<input checked="" type="checkbox"/> R6 Residential	<input type="checkbox"/> C29
Traveled Ways <input type="checkbox"/> Traveled Ways	<input type="checkbox"/> I-R2	<input checked="" type="checkbox"/> ROS Recreation Open Space	<input type="checkbox"/> C30
Stream <input type="checkbox"/> Stream	<input type="checkbox"/> I-R3	<input checked="" type="checkbox"/> RP Residential Professional	<input type="checkbox"/> C31
Wetland <input type="checkbox"/> swamp	<input checked="" type="checkbox"/> ROS	<input type="checkbox"/> RPZ Resource Protection	<input type="checkbox"/> none
Lake/Pond <input type="checkbox"/> under_road <input type="checkbox"/> waterbody	<input type="checkbox"/> RPZ	<input checked="" type="checkbox"/> WCZ* Waterfront	<input checked="" type="checkbox"/> B2c
Jetport <input type="checkbox"/> Jetport	Zoning <input type="checkbox"/> AB Airport Business	<input type="checkbox"/> WPDZ Waterfront	<input type="checkbox"/> C32
Coastal Bluff <input checked="" type="checkbox"/> IH - Highly Unstable <input type="checkbox"/> U - Unstable	<input type="checkbox"/> EWPZ	<input type="checkbox"/> WSPZ Waterfront	<input type="checkbox"/> C33
Overlay Zones <input checked="" type="checkbox"/> DEOZ <input checked="" type="checkbox"/> FH <input type="checkbox"/> Helistop Overlay <input checked="" type="checkbox"/> R-7 <input checked="" type="checkbox"/> USM	<input type="checkbox"/> C44	<input type="checkbox"/> C1	<input type="checkbox"/> C34
Shoreland Overlay Zone <input type="checkbox"/> Shoreland Overlay Zone	<input type="checkbox"/> C45	<input type="checkbox"/> C2	<input type="checkbox"/> C35
	<input checked="" type="checkbox"/> B7	<input type="checkbox"/> C3	<input type="checkbox"/> C36
	<input type="checkbox"/> B1 Neighborhood Business	<input type="checkbox"/> C4	<input checked="" type="checkbox"/> B6
	<input type="checkbox"/> B1b Neighborhood Business	<input type="checkbox"/> C5	<input type="checkbox"/> C37
	<input type="checkbox"/> B2 Business Community	<input type="checkbox"/> C6	<input type="checkbox"/> C38
	<input type="checkbox"/> B2b Business Community	<input type="checkbox"/> C7	<input type="checkbox"/> C39
	<input checked="" type="checkbox"/> B3* Downtown Business	<input type="checkbox"/> C8	<input type="checkbox"/> C40
	<input checked="" type="checkbox"/> B3c Downtown Business	<input type="checkbox"/> C9	<input type="checkbox"/> C41
	<input checked="" type="checkbox"/> B4 Commercial Business	<input type="checkbox"/> C10	<input type="checkbox"/> C42
	<input checked="" type="checkbox"/> B5 Urban Commercial	<input type="checkbox"/> C11	County Streets
	<input checked="" type="checkbox"/> B5b Urban Commercial	<input type="checkbox"/> C13	<input type="checkbox"/> A15
	<input checked="" type="checkbox"/> IH Industrial - High Impact	<input type="checkbox"/> C14	<input type="checkbox"/> A21
	<input type="checkbox"/> IL Industrial - Low Impact	<input type="checkbox"/> C15	<input type="checkbox"/> A31
	<input type="checkbox"/> ILb Industrial - Low	<input type="checkbox"/> C16	ME Towns
		<input type="checkbox"/> C17	<input type="checkbox"/> Land
		<input type="checkbox"/> C18	<input type="checkbox"/> Water Body
		<input type="checkbox"/> C19	Ocean
		<input type="checkbox"/> C20	<input type="checkbox"/> Ocean
		<input type="checkbox"/> C21	
		<input type="checkbox"/> C22	

(COPY)

CITY OF PORTLAND, MAINE
Department of Building Inspection



Certificate of Occupancy

LOCATION **455 Riverside St.**

Issued to **Texaco, Inc**
P.O. Box 1117 Portland Maine

Date of Issue **October 19, 1970**

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. **69/834**, 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

Service Station

Limiting Conditions:

This certificate supersedes
certificate issued

Approved

(Date)

Inspector

Inspector of Buildings

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



APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION 001179

NOV 2 1981

ZONING LOCATION PORTLAND, MAINE, June 26, 1981

CITY OF PORTLAND

To the DIRECTOR OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby apply for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION 45-49 Riverside St.

Fire District #1 , #2

1. Owner's name and address Texaco, Inc., 1 University Park

Telephone 617-894-6010

2. Lessee's name and address Waltham, Mass

Telephone

3. Contractor's name and address

Telephone

4. Architect Specifications Plans

No. of sheets

Proposed use of building service Station

No. families

East

No. families

Material No. stories Heat Style of roof

Roofing

City location on map

Estimated construction cost

Fee \$

FIELD INSPECTOR

GENERAL DESCRIPTION

City of Portland 775-5451

To re-establish service station as per plan

Division Ext. 234

City of Portland

Mayor

City Clerk

City Engineer

City Planner

City Auditor

City Treasurer

City Assessor

City Collector

City Registrar

City Recorder

City Comptroller

City Attorney

City Solicitor

City Clerk

City Treasurer

City Assessor

City Collector

City Registrar

City Recorder

City Comptroller

City Attorney

City Solicitor

City Clerk

City Treasurer

City Assessor

City Collector

City Registrar

City Recorder

City Comptroller

City Attorney

City Solicitor

City Clerk

City Treasurer

City Assessor

City Collector

City Registrar

City Recorder

City Comptroller

City Attorney

City Solicitor

Stamp of Special Conditions

APR 7-16-81

Note: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanical work.

PERMIT IS TO BE ISSUED TO 1 2 3 4

Other:

DETAILS OF NEW WORK

Is any plumbing involved in this work? Is any electrical work involved in this work?
Connection to be made to public sewer? If not, what is proposed for sewage?
Has septic tank 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?

APPROVALS BY:

DATE

MISCELLANEOUS

BUILDING INSPECTION-- PLAN EXAMINER

Will work require disturbing of any trees on a public street?

ZONING:

BUILDING CODE:

Will there be in charge of the above work a person competent

Fire Dept.:

to see that the State and City requirements pertaining thereto

Health Dept.:

are observed? Yes

Others:

Signature of Applicant Frank H. McGloin Phone #

Type Name of above Frank McGloin 1 2 3 4

Other

APPLICATION FOR PERMIT

PERMIT ISSU

B.O.C.A. USE GROUP

00179

B.O.C.A. TYPE OF CONSTRUCTION

FEB 25 1986

ZONING LOCATION B-2

PORTLAND, MAINE Aug. 23, 1985

City Of Portland

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION 55 Riverside Street Fire District #1 #2

1. Owner's name and address Texaco Refining & Mkt. - 1 University Park - Waltham Mass Telephone 617-894-6010

2. Lessee's name and address

3. Contractor's name and address pending Telephone

Proposed use of building self serv canopy gas bar with 24' x 44' No. of sheets

Last use gas station food mart - car wash No. families

Material No. stories Heat Style of roof Roofing

Other buildings on same lot

Estimated contractual cost \$ 475,000

FIELD INSPECTOR - Mr. Appeal Fees \$

@ 775-5451

Base Fee 300.00

Latc Fee 2,395.00

TOTAL \$

minor site plan
To construct 1 story 40' x 102' (approximate)
steel canopy with 24' x 44' food mart
also 18' x 51' car wash

CALL 603-880-0763 N. H. OR MASS # ABOVE WHEN READY

Stamp of Special Conditions

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.



Thomas J. Blatowski
Real Estate Agent

Texaco USA
Boston Division

One University Park
Waltham, MA 02254
617-894-6010

Division of Texaco Inc

DETAILS OF NEW WORK

Is any electrical work involved in this work? ..yes.....

existing If not, what is proposed for sewage?

Form notice sent?

Height average grade to highest point of roof

n. stories solid or filled land? earth or rock?

Thickness, top bottom cellar

r foot Roof covering

n chimneys of living Kind of heat fuel

d or full size? Corner posts Sills

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?

APPROVALS BY: DATE

BUILDING INSPECTION-PLAN EXAMINER

ZONING: D. N. ... 2/24/86

BUILDING CODE:

Fire Dept.:

Health Dept.:

Others:

MISCELLANEOUS

Will work require disturbing of any tree on a public street?

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed?

Signature of Applicant Thomas J. Blatowski Phone # same

Type Name of above Thomas J. Blatowski for 1 2 3 4

Texaco Refining & Marketing Other

and Address

PERMIT

City of Portland, Maine – Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716

Location of Construction: 55 Riverside St		Owner: Star Enterprise	Phone:	Permit No: 941132
Owner Address: 12700 Northborough Houston, TX		Leasee/Buyer's Name: 77067 Applicant: M.W. Sewall & Co.	Phone: 259	Business Name: Front St Bath, ME
Contractor Name:		Address:	Phone: 1-207-540-7994	Permit Issued: Mary Gresik
Past Use: XXXXXXXXXX	Proposed Use: Gas Station w/conv. store	COST OF WORK: \$ 498,000.	PERMIT FEE: \$300. + 2,510.	PERMIT ISSUED OCT 18 1994 Zone: CBL: 266-A-003 CITY OF PORTLAND Zoning Approval
		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: S Type: 2	
Proposed Project Description: Demo Building Approx 1,500 sq ft Construct Building & Canopy-Bldg approx 2,100 sqft		Signature:	Signature: <i>[Signature]</i>	Special Zone or Reviews: <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"/>
		Signature:	Date:	Zoning Appeal <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

- This permit application doesn't preclude the Applicant(s) from meeting applicable State and Federal rules.
 - Building permits do not include plumbing, septic or electrical work.
 - 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.
- Dump Permits: 2-30 YC 30-2102, 30-2103 = 600.00

Mail To: **R.A. Lax**
34 Pond Villa
Windham ME 04062

892-2932

PERMIT ISSUED WITH LETTER

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 provisions of the code(s) applicable to such permit.

[Signature]
 SIGNATURE OF APPLICANT **Bob Sewall**

ADDRESS:

18 Oct 94 - Bldg Prmt Fwd
 31 ~~18~~ Aug '94 Site Plan Via Mail
 DATE: 11 Oct 94
 PHONE:

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE

PHONE:

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

PERMIT ISSUED WITH LETTER

Historic Preservation
 Not in District or Landmark
 Does Not Require Review
 Requires Review

Action:
 Approved
 Approved with Conditions
 Denied

Date: *10/18/94*
[Signature]

CEO DISTRICT **4**

M.A. Carroce



CITY OF PORTLAND, MAINE
Department of Building Inspections

Original Receipt

5.9 20 10

Received from Drummond Park Services LLC

Location of Work 55 Riverside

Cost of Construction \$ _____ Building Fee: _____

Permit Fee \$ _____ Site Fee: _____

Certificate of Occupancy Fee: _____

Total: 150

Building (U1) _____ Plumbing (U1) _____ Electrical (U1) _____ Site Plan (U2) _____

Other 2010 termination

GBL: 1113

Check # 95190 Total Collected \$ 150

No work is to be started until permit issued.
Please keep original receipt for your records.

Taken by: S. J. 12

WHITE - Applicant's Copy
YELLOW - Office Copy
PINK - Permit Copy