

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

Permit No: 02-1294	Issue Date:	CBL: 296 A001001
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Location of Construction: 279 Warren Ave	Owner Name: O'Connor GMC, Inc.	Owner Address: 187 Riverside Drive	Phone: 207-622-3191
Business Name: n/a	Contractor Name: Rodrigue Builders, Inc.	Contractor Address: Birchview Drive Augusta	Phone: 2076229453
Lessee/Buyer's Name n/a	Phone: n/a	Permit Type: Change of Use - Commercial	Zone: B-4

Past Use: Commercial / Vacant; Prior use Diesal Pump Repair	Proposed Use: Commercial / Change of use from Diesal Pump Repair to Sales and Administrative Office.	Permit Fee: \$352.00	Cost of Work: \$46,240.00	CEO District: 1
<p><i>legal use previously was as sales in service - permit fee</i></p> <p><i>this is a use</i></p>		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: B Type: <i>PS</i>	
Proposed Project Description: Change of Use from Diesal Pump Repair Sales and Offices.		Signature: <i>[Signature]</i> Date: <i>11/26/02</i>		
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)				
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied				
Signature: _____ Date: _____				

Permit Taken By: gg	Date Applied For: 11/18/2002	Zoning Approval		
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1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 3. 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..	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"/> Date: <i>11/21/02</i>	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 Date: _____	Historic Preservation <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date: <i>[Signature]</i>
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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 provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE



CITY OF PORTLAND

February 25, 2002

Kathleen Holt Button
C/o Feniger & Uliasz
Attorneys at Law
45 Bay Street
Manchester, New Hampshire 03104

RE: Maine Mack Inc. – 279-299 Warren Ave.- 296-A-001 - B-4 Business Zone

Dear Kathleen,

I am in receipt of your request for a determination concerning the use of the building(s) and land owned by Maine Mack, Inc. located at 279-299 Warren Avenue in Portland, Maine.

The City records show that the original structure was built in 1972 with a 60' x 80' addition constructed in 1986. The zone in effect at the time of these original approvals was an I-2 Industrial Zone which allowed the sale, repair, and storage of Mack Trucks.

The current zoning of this location is now a B-4 business zone, which went into effect in May, 1988. This zone does not specifically allow for the sale, repair, and storage of "trucks". This zone does allow for the sale and repair of cars, boats, trailers, and/or recreational vehicles. Trucks are the one vehicle-type that is not specifically listed. Therefore, the current uses for this property are considered legally, non-conforming. This legal, non-conforming use may continue without regard to ownership.

Attached are copies of the current B-4 business zone along with the most current building permit application and certificate of occupancy.

Please call if you require any further information concerning this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Marge Schmuckal". The signature is fluid and cursive, with a long horizontal stroke at the end.

Marge Schmuckal
Zoning Administrator

Cc: File

Approved Occupancy

Date of Issue 10/10/86

as the above location, built-altered
inspection, has been found to conform
of the City, and is hereby approved for

APPROVED OCCUPANCY
GARAGE & STORAGE

[Signature]
Inspector of Buildings

to be transferred from
leasee for one dollar.

APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION 752

JUN 11 1986

ZONING LOCATION *IR* PORTLAND, MAINE 5/16/86 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 ... 299 Warren Ave ... Fire Distric #1 #2

1. Owner's name and address ... Maine Mack ... Ray Morin ... Telephone 97-7837

2. Lessee's name and address

3. Contractor's name and address ... Trapper Brown Corp. ... Telephone 603-536-1463

... RFD #3 Plymouth, NH 03264 ... No. of sheets 1

Proposed use of building ... Storage ... for garage ... No. families

Use ... Garage ... No. families

Material ... No. stories ... Heat ... Style of roof ... Roofing

Other buildings on same lot

Estimated contractual cost \$ 94,000.00 ... Appeal Fees \$ 490.00

FIELD INSPECTOR—Mr. ... @ 775-5451 ... Base Fee

... Late Fee

... TOTAL \$

Attach 80' by 60' addition to back of north side of building

as per plan one sheet see back Stamp of Special Conditions

send to #1

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

DETAILS OF NEW WORK

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

Is connection to be made to public sewer? ... If not, what is proposed for sewage?

Has notice 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 tree on a public street? no

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

BUILDING CODE: ... to see that the State and City requirements pertaining thereto

Fire Dept: ... are observed?

Health Dept: ...

Other: ...

Signature of Applicant ... Phone # 603-536-1463

Type Name of above ... Frederick E. Brown ... 1 2 3 4

Other

**NOTICE OF INTENT
TO ABANDON (REMOVE) AN
UNDERGROUND OIL STORAGE FACILITY**

COPY

THIS FORM MUST BE FILED WITH THE D.E.P. AND YOUR LOCAL FIRE DEPARTMENT AT LEAST 30 DAYS PRIOR TO THE SCHEDULED REMOVAL

PLEASE TYPE OR PRINT IN INK:

Name of Facility Owner: MAINE MACK INC.
Mailing Address: 299 WARREN AVE. Telephone #: 797 7837
City: PORTLAND State: ME Zip Code: 04103
Contact Person (name, address & telephone #): FRED LIBBY
SAME AS ABOVE
Name of Facility: SAME AS ABOVE Registration #: 10308
Facility Location (town & street): SAME AS ABOVE

1. Identify the tanks at this location which are going to be removed:

Tank #	Tank Age	Tank Size (gallons)	Type of Product Stored
1	N/A	1000	#2
2	N/A	1000	WASTE OIL
3			
4			

2. Directions to this facility (be specific):

WEST OF FOREST AVE APPROX 1 MILE ON RIGHT.

3. Is or was the tank(s) used to store Class I liquids (e.g. gasoline, jet fuel)? Yes ___ No

IF YES, REMOVAL OF THE TANK(S) MUST BE DONE UNDER THE DIRECTION OF A CERTIFIED TANK INSTALLER.

Tank Installer's Name: Certification Number: Signature:

N/A

4. Environmental site assessments are required for all tanks except those used for storing heating oil, not for resale, or for farm or residential motor fuel tanks under 1,100 gallons where the product is used on site. Site Assessor's Name and Address (if applicable):

J.B. PLUNKETT FOR WASTE OIL

5. Name and telephone number of contractor who will do the tank removal:

LES WILSON + SONS 854 4583

6. Expected date of removal (month/day/year): 10/21/94

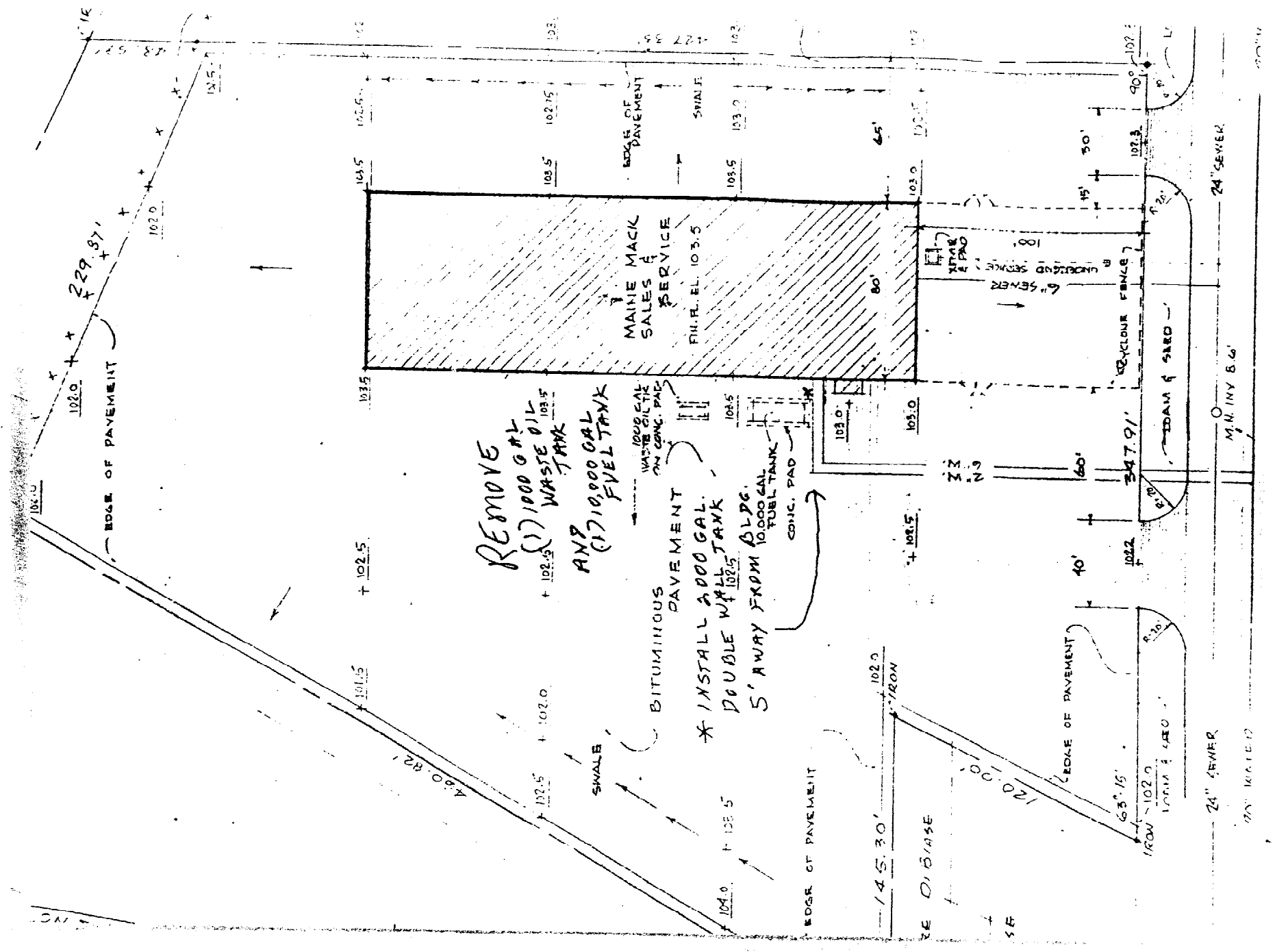
I hereby provide Notice that I intend to properly abandon the underground oil storage facility as described above.

Date: 8/31/94

Signature: Ronald Wilson

Printed Name and Title: RONALD WILSON AGENT FOR OWNER

Mail original and yellow copy to DEP; pink copy to fire department; retain gold copy.
RETURN POSTCARD AFTER TANK(S) HAS BEEN REMOVED



REMOVE
 (1) 1000 GAL
 WASTE OIL
 TANK
 AND
 (1) 10,000 GAL
 FUEL TANK

BITUMINOUS
 PAVEMENT
 * INSTALL 3000 GAL.
 DOUBLE WALL TANK
 5' AWAY FROM BLDG.
 10,000 GAL
 FUEL TANK
 CONG. PAD

MAINIE MACK
 SALES &
 SERVICE
 FIN. R. EL. 103.5

1000 GAL
 WASTE OIL TANK
 ON CONG. PAD

10,000 GAL
 FUEL TANK
 CONG. PAD

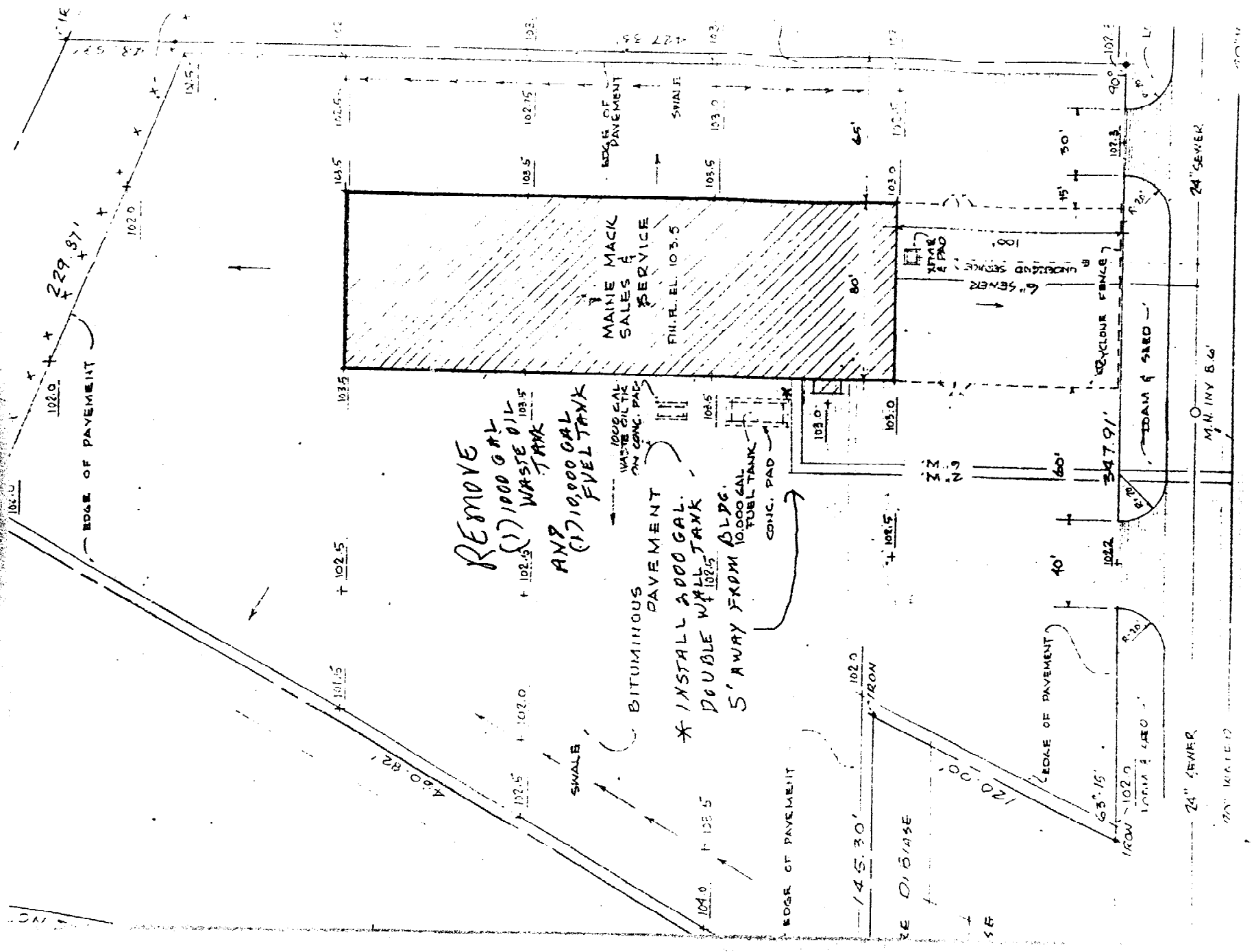
24" SEWER

24" SEWER

M.N. INV 8.6'

24" SEWER

M.N. INV 12'





<http://www.portlandassessor.com/images/pictures/02800502.jpg>

02/25/2002

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

Card Number	1 of 2
Parcel ID	296 A001001
Location	279 WARREN AVE
Land Use	RETAIL & PERSONAL SERVICE
Owner Address	MAINE MACK INC PO BOX 1199 PORTLAND ME 04104
Book/Page	13088/352
Legal	296-A-1 WARREN AVE 279-305 172310 SF

Valuation Information

Land	Building	Total
\$193,410	\$1,104,920	\$1,298,330

Building Information

Bldg #	Year Built	# Units	Bldg Sq. Ft.	Identical Units
1	1972	1	30240	1
Total Acres	Total Buildings Sq. Ft.	Structure Type	Building Name	
3.956	35240	AUTO SERVICE	MAINE MACK INC	

Exterior/Interior Information

Section	Levels	Size	Use
1	01/01	24800	AUTO PARTS/SERVICE
1	M1/M1	960	OFFICE ENCLOSURE
1	M2/M2	4480	MULTI-USE STORAGE

Height	Walls	Heating	A/C
18	METAL-LIGHT	HOT AIR	
9	ENCLOSURE	ELECTRIC	NONE
9		NONE	

Building Other Features

Line	Structure Type	Identical Units
2	OVERHEAD DOOR - WD/MT	18
1	CANOPY - ONLY	1
2	ENCLOSED ENTRY	1
2	OVERHEAD DOOR - WD/MT	1
1	SPRINKLER - WET	

CBL 296 A001001 CARD 2 of 2 Property Address 279 WARREN AVE
Owner Name 1 MAINE MACK INC Property Type COMMERCIAL
Name 2 Description 296-A-1
Mailing Address PO BOX 1199 WARREN AVE 279-305
City, State, Zip PORTLAND ME 04104 172310 SF

RETAIL & PERSONAL SERVICE 1 MEDIUM
B4 020
RIVERTON
5000
PUBLIC WATER PUBLIC SEWER NONE
279 WARREN AVE
12/28/2000 vjm

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30240
PUBLIC WATER PUBLIC SEWER NONE
279 WARREN AVE
12/28/2000 vjm

Feniger & Uliasz
Attorneys at Law
45 Bay Street
Manchester, New Hampshire 03104
Tel: (603) 627-5997
Fax: (603) 647-0210

February 20, 2002

Margaret Schmuckal, Zoning Administrator
City of Portland
389 Congress Street
Portland, ME 04101

VIA FAX AND OVERNIGHT MAIL
207-874-8716

Re: Maine Mack, Inc.
279-299 Warren Ave
Portland, ME

Dear Ms. Schmuckal:

This shall serve to confirm our conversation earlier today regarding the above described property.

As we discussed, the property is currently used for the sale, repair and storage of Mack Trucks and other very large vehicles and is located in the B4 zoning district. The new owner would continue to use the property for the sale, repair and storage of Mack Trucks and other very large vehicles.

The property is potentially going to be purchased in the near future. I have reviewed the Portland Zoning Ordinances on your web site and have been unable to find a specific permitted use in the ordinance that allows the current use of the property and the continued use of the property in the same manner by the new owner. The lender on the proposed sale is requiring documentation that the new owner will be able to use the property as described above, in accordance with the Portland Zoning Ordinances.

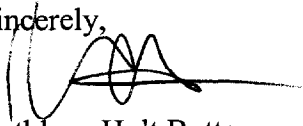
You mentioned that the property has been under the current use for some time and may have been in compliance with the older zoning ordinances and that your zoning ordinances have been modified over the years. If the current use is in fact not in compliance with the current zoning regulations but is a non-conforming legal use, then I need written confirmation that the new owner will also be allowed to continue the non-conforming legal use after the sale of the property.

I understand that you will research the records with the City of Portland to determine the history of this property and the zoning ordinances as they affect the property. I am enclosing my check #12066 in the amount of \$150 as payment for the research.

Please let me know the results of your research in writing as soon as possible and please don't hesitate to contact me if you have any questions or concerns.

Thank you for your anticipated cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathleen Holt Button', with a long horizontal line extending to the right.

Kathleen Holt Button

CC: Kevin McDevitt

Feniger & Uliasz
Attorneys at Law
45 Bay Street
Manchester, New Hampshire 03104
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Kathleen Holt Button

CC: Kevin McDevitt

1206



FENIGER & ULIASZ
ATTORNEYS AT LAW
45 BAY STREET
MANCHESTER, NH 03104

BANK OF NEW HAMPSHIRE, N.A.
MANCHESTER, NH 03101
54-7-114

12066

02/20/2002

\$150.00

DATE

AMOUNT

****ONE HUNDRED FIFTY AND NO/100 DOLLARS****

PAY
TO THE
ORDER
OF

City of Portland

0010116-01

⑈012066⑈ ⑆011400071⑆ 902952545⑈